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**ENGLAND
IN THE REIGN OF
CHARLES II**

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CHARLES II

By

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PREFACE

This book is not a biography of Charles II, but an attempt to depict, as it were in cross-section, one of the most formative stages in the growth of English civilization.

As will be seen from the list of chapter contents, a number of chapters are descriptive or analytical, and the others (distinguished by the addition of dates to their titles) are intended to provide a consecutive narrative of the events of the reign. The distribution of these different types of chapter has been conducted on this principle—in volume i, which brings the narrative down to 1674, there are chapters devoted to social and economic conditions, commercial rivalry, and naval organization, the volume concluding with an account of the last two Anglo-Dutch wars, and the subordination of English policy to France. In volume ii, three chapters in succession (xii, xiii, and xiv) describe the financial, the parliamentary, and the legal institutions of the period, as an essential preliminary to the two episodes in which these institutions were strained and tested, namely the Popish Plot and the Stuart Reaction. The chapters on Scotland and Ireland and on the Plantations are necessarily of somewhat limited range.

The facilities and assistance placed at the author's disposal have made the preparation of this book a singularly pleasant task, and he wishes to thank heartily all who have helped in either of these ways. To the Most Hon. the Marquess of Bath he is indebted for the privilege of access to several volumes of the Coventry Papers at Longleat. For liberty to use manuscripts in their custody the author owes a debt of thanks to the authorities of New College and Worcester College, Oxford; Magdalene College, Cambridge; Winchester College, and the Royal Society. To Mr. J. P. R. Lyell he owes many references in rare tracts and books. Dr. G. R. Y. Radcliffe helped with the technicalities of law, Dr. Joscelyn Arkell with geology, and Mr. R. V. Lennard with agriculture. Mademoiselle Aliette Charlot of Paris rendered valuable help in the Archives des Affaires Étrangères. Mr. E. S. De Beer kindly read through the typescript and enabled the

author to effect many important changes; numerous corrections and suggestions were made by Mr. C. R. M. F. Cruttwell, Principal of Hertford College, Oxford, and by Professor Andrew Browning of the University of Glasgow. Professor Browning allowed me to consult the typescript of his forthcoming *Life and Letters of Thomas Osborne, earl of Danby*, a book which will take its place as one of the standard biographies of English History. For the arrangement of the two volumes here prefaced, or for the opinions expressed, none of these coadjutors is responsible.

Finally, to Sir Charles Firth the author owes both encouragement to undertake the work and guidance in the problems of its completion.

D. O.

July, 1934.

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I

THE END OF PURITAN EXPERIMENT

THE obsequies of Oliver Cromwell were prolonged and impressive. For nearly two months (Sept.-Oct. 1658) his effigy, draped in black velvet, lay in a darkened room at Somerset House, through which defiled a curious but not irreverent multitude, gazing on this dolorous memorial of him who had lived 'serviceable, even to the last'. Then the scene was completely transformed. The wax image, having been adorned with sceptre and crown and clothed in crimson velvet, was placed erect on the bed, which was draped in fabric of like colour, while the light of five hundred candles, reflected on figure and pedestal, revealed Oliver in a deep-red glow of glory after his allotted period of purgatorial seclusion.¹ Thus was accorded to him in death that regal state with which he had toyed in life; and it was in the trappings of monarchy, challenging and effulgent, that he was at last withdrawn from the view of men who had grown docile under his rule.

Behind the symbolism of this posthumous coronation was the fear that a precarious alliance of personality and chance was on the point of dissolution, and that the rule of single person must either die or be reincarnated in more traditional guise. This fear attested the cleavage of opinion between those who deplored and those who welcomed the change whereby the Protectorate had come to face more and more in the direction of the traditional constitution; and already the Humble Petition and Advice, with its tentative return to older forms, served as a watershed from which these two streams of opinion took their course. With the first moved all the political purists, military and civilian, ready to do and undo at the behest of conscience; with the second went men who, weary of change and experiment, were willing to sacrifice the austere glories of Zion for the known amenities of Babylon. The one party, claiming religion and piety as the sole qualifications for office, looked backward to the pioneer exploits of the Long Parliament and to pre-Protectorate

¹ Burton, *Diary*, ii, app. vii; *Ludlow*, ii. 47-8.

republicanism; the other, convinced that an estate was a qualification more easily gauged than virtue, was prepared to compromise high principle for settled government. Though the latter party proved to be in a majority it was still impeded by the inertia of ostracism; nor, until it had gathered momentum, was the restoration of monarchy possible.

Succeeding events accentuated this division of thought. For Richard's parliament (Jan.-Apr. 1659) a return was made to the old, unreformed franchise, on which a large proportion of Presbyterians, lawyers, and country gentlemen were returned. This assembly recognized both the Protectorate and the 'Other House', and some of its members even expressed willingness to restore the hereditary peerage to its place in the constitution.¹ Hence the chance that a majority of the elected representatives of the nation might go far in the direction of reinstatement, if not of restoration; but their debates suggested a more imminent possibility—that parliament might hold an inquiry into the past conduct of army officers.² Accordingly when, on April 18, 1659, the Commons passed a resolution that, during the sittings of parliament, there should be no general councils or meetings of the officers without the consent of the Protector and both Houses, the hint was accepted by the Army as a challenge. Three days later Richard, yielding to pressure from Desborough, dissolved parliament. There then ensued a revolution within the Army itself, precipitated by intense searchings of hearts and scriptures. The superior officers assembled under Fleetwood at Wallingford House wished to retain two things—an upper chamber as a check on the Commons, and a Protector as 'a round O or cypher' to serve their turn;³ while the subordinate officers in session at St. James's, convinced that the Millennium had at last arrived, demanded the restoration of the Long Parliament, ever memorable for 'its great shaking of kingship', and still revered as the sacred ark of the Good Old Cause.⁴ Forced by the necessity of raising supplies, Fleetwood and Desborough

¹ Burton, *Diary*, iii. 525, 531. and iv. 89.

² *Cal. S.P. Ven.*, 1659-61, 13.

³ Ludlow, ii. 61, 99; also, *A seasonable word or certain reasons against a single person* (1659).

⁴ For a full account of the Army's politics see C. H. Firth, *Cromwell's Army*, ch. iv.

yielded to their subordinates; and so on May 7, 1659, there reappeared in the Commons' House Speaker Lenthall, accompanied by about eighty survivors (mainly Sectarians and Anabaptists) of those members who had sat between 1649 and 1653. This return of the purged Long Parliament necessarily meant the end of the Protectorate, because the former connoted government with neither Protector nor upper chamber. Richard accepted the change in this sense, and remained at Whitehall only to avoid his creditors. On their side, the army officers hoped with the help of the restored legislators to end the backsliding which Richard's representative parliament had inaugurated, and thereby preserve the Elect from the steep declivities of hereditary peerage and single person.

Under the watchful eyes of their custodians, the parliamentary veterans did their best to maintain the civil government. They ordered the raising of an assessment of £50,000 per month; but even thus, sufficient money could not be found to pay the arrears of the fighting services; and, as if to protect themselves from their guards, they summoned three regiments from Dunkirk, and proceeded to raise a force of militia. Fleetwood, it is true, was appointed by them to the coveted post of commander-in-chief, but only for the duration of parliament; and there was much dissatisfaction when, after revising the list of commissions, the Commons resolved that in future they should all be signed by the Speaker. Such was the partnership resulting from the army revolution of April-May 1659.

There were several potential leaders. Now that he was the official head of the Army, Fleetwood might have taken the initiative. But, both by sentiment and personal relationship, he was a representative of Cromwellian tradition, and was handicapped by personal loyalties. To the soldiers, he was merely 'a godly man'; to others he seemed irresolute, and his tendency to weep in public was, even then, considered unbecoming in a cavalry officer. Like Richard he was destined soon to fade into obscurity. Both men were now displaced by the three apostles of the Good Old Cause, each anxious to undo the evil wrought by Oliver—sir Arthur Hesilrige, sir Henry Vane, and general Edmund Ludlow, all of whom, as leading members of the new Council of State, had reached that difficult point when an opposition suddenly

finds itself in power. Hesilrige had become estranged from Cromwell after the latter's expulsion of the Long Parliament in 1653; and as parliamentary leader after May 1659 he was both the enemy of army rule and the costive exponent of constitutionalism as it was supposed to have been interpreted between 1648 and 1653. He had helped to pull down, he gloomily boasted, but always by prayer and humiliation. Because of his belief in the omnipotence of the Commons he was able for a time to command a respectable following; but on the other hand the extent of his landed acquisitions in Durham raised him many enemies, and his retrospective politics won few converts.

Principles similar to his found a more graceful exponent in sir Henry Vane, who preached 'freedom and self-government' and the inviolability of fundamentals, doctrines so conveniently elastic that he may be regarded as a party in himself. Looking on the nation as unacquainted with its own good and unfit to be trusted with power, 'he would have some few refined spirits (and those of his own nomination) sit at the helm of state . . . till the people be made familiar with a Republique and in love with it'.¹ But this educative process might have proved lengthy, and meanwhile the nation was impatient. Vane was convinced that, provided the foundations were sound, Providence would make good the deficiencies; on this basis he was able for a time to mediate between army and parliament. Equally opposed to compromise was Edmund Ludlow, who had rendered important service as commander-in-chief in Ireland. He had never recognized the Protectorate, nor did his scruples permit him to support any government that was not clearly the expression of popular consent. In vain Oliver had tried to elicit from him where that consent was to be found. Important as the strongest link between the army politicians and the civilian republicans,² Ludlow was staunch but limited, too querulous and pedantic to realize the place of expediency in practical politics.

The inevitable breach between Army and the restored Long Parliament commenced in August with the suppression of the presbyterian-royalist rising of sir George Booth. Credit for this triumph of the Commonwealth was due mainly to John Lambert, 'the army's darling', the reputed agent of Providence in

¹ *Nicholas Papers* (Royal Historical Society), iv. 161. ² *Clar.S.P.* iii. 484.

the miraculous victory of Dunbar, the Rupert and the Wallenstein of Cromwellian generals. His prestige with the Army and a section of the nation was steadily increasing. He had refrained from taking part in the unhorsing of Richard; he had turned a deaf ear to royalist offers; as one of the Council of State he eclipsed both Fleetwood and Desborough. For his services the apprehensive Commons offered him a jewel, but declined to raise him to the rank of general, or to make permanent Fleetwood's commission of commander-in-chief. Their distrust was patent when on October 11 they passed an ordinance¹ prohibiting the raising of money without parliamentary consent. This Act contained provisos confirming purchases of lands in England and Ireland, but definitely excluding everything else done in the period between the Long Parliament's eviction and recall (Apr. 1653-May 1659); moreover, violation of the ordinance was declared to be high treason; in effect, therefore, the conduct of the Army during these six non-legal years might be called in question by the civil power. Having gone so far, the Commons decided to emancipate themselves altogether from army tutelage; so they annulled Fleetwood's commission, cashiered Lambert and eight of his fellow officers, and vested the government of the Army in seven commissioners. The reply of the Army was prompt. Having seized the Mint, Lambert and his soldiers took up station in Palace Yard on October 13; and when the Commons came to take their seats they were presented with a display of massed and silent force. The legislators walked off in dismay; no blow was struck; there was not even a speech.

In its capacity of self-governing corporation the Army would now do its own constitution-making. Having confirmed Fleetwood in his office of commander-in-chief and restored Lambert and his colleagues, the Army next purged the Council of State of dissentients, and set up a military-civilian Committee of Safety, in which were included Desborough, Ludlow, Ireton, Hewson, and Whitelocke. This Committee annulled the orders passed by the late parliament in the last days of its session, and proceeded to discuss the fundamentals of government in order to draw up a written constitution. Fleetwood, mediating in disputes between soldiers and apprentices, developed

¹ *Acts and Ord.* ii. 1951.

leanings towards Hesilrige, the vociferous champion of liberty, parliament, and a republic, at the same time giving sympathetic hearing to Harrington's apotheosis of Rotation as the sovereign means of preserving political equilibrium. His doubts and misgivings helped to confirm the eminence to which Lambert had raised himself by his spectacular termination of the Long Parliament's activities. Lambert might have declared for Restoration, knowing as he did that he was regarded with some favour by the exiled Court;¹ or he might have set up a dictatorship on the strength of his popularity with the Army. But he was the victim of his own virtues. Able and impressionable, daring and out-spoken, Lambert the tulip-fancier was incongruous in a society which set an excessive premium on piety or the reputation for it; nor did he consort well with a world habituated to the imagery of the Old Testament, and suspicious of aesthetic diversions. As an avowed cynic he was out of place in the Rule of the Saints; still worse, in his handling of the Commons he had shown himself woefully lacking in Oliverian technique; for Cromwell would not have evicted an assembly by merely locking the doors and parading outside. He would have unburdened himself in an impassioned speech; or at least quoted a seasonable text, or performed some gesture to make the occasion memorable and corroborative:

For had old Noll been alive, he had pulled them out by the ears
Or else had fired their hive and kicked them down the stairs,
Because they were so bold to vex his righteous soul,
When he so deeply had sworn that they should never sit more.²

In taking upon himself the mantle of the Prophet, Lambert had shown how ill it fitted him; thereafter he and his army colleagues proved dumb, or at best mumbling exponents of the sacred mysteries entrusted to their charge. This prompted men to seek for another revelation, soon to be announced in language which they could understand.

Interference with an institution more cherished than church or monarchy was not the only irregularity of which the commonwealth leaders might have been accused. After his fourth dissolution of parliament in February 1658 even Cromwell had found it

¹ *Clar. S.P.* iii. 599.

² *A proper new ballad on the old parliament*, in *Bodley, Pamph. Wood*, 416, xvi.

difficult to balance the military and civilian elements in the constitution; indeed, the problems of appeasing army leaders and obtaining the return of the right members from the constituencies had so engaged the Protector that his health had suffered.¹ Still more, the policy of muffled security at home and military prestige abroad had cost money; and, with the accumulation of debt, pensions and army pay were in continual arrears; moreover, the war with Spain, coming so soon after the war with Holland, was held accountable for an alleged decline in the cloth and shipping trades.² In these circumstances the heavy taxes were a serious, and in some cases an impossible, economic burden. Ship-money had been opposed on principle; but against the far heavier monthly assessments there had arisen no Hampden; and against the hated Excise there had appeared only Prynne, who brought out his folios to convince a collector that the Excise on hops was illegal.³ Nor were commonwealth financiers dependent only on national revenue; for, in consequence of confiscation, estates were sold at uneconomic prices, or their owners were forced to realize in a falling market in order to pay the fines imposed on them. These burdens, accentuated by the unhealthy summer of 1659 when men and horses were carried off by an obscure disease, proved realities in face of which the constitution-making of soldiers and orators seemed worse than futile.

But while these exactions and deficits were a source of disquiet, they can hardly be quoted as a direct cause of the Restoration. At what period are there no complaints of heavy taxes? or of accumulating debt? or of decaying trade? English commerce was certainly suffering from the war with Spain, but was benefiting from an enterprising foreign policy; wages were relatively high; the national debt seemed large, because the device of saddling it on posterity had not yet been thought of. The economic difficulties of the Commonwealth were those of a government which had to maintain large armies at home and a vigorous policy abroad. Had that government been legitimate, these heavy commitments would have been considered inevitable, or

¹ *Cal. S.P. Ven.*, 1657-9, xvii. 168, 169.

² For this question see M. James, *Social problems and policy during the Puritan Revolution*.

³ Prynne, *A declaration . . . against . . . Excise*, 1654.

even commendable; but the difficulties consequent on these commitments have traditionally been selected for special emphasis because they appear to provide in a simple economic formula the reasons for the change from Commonwealth to Monarchy.

The consistent, economic motive which may regulate the actions of men to-day did not necessarily have the same force in the seventeenth century, when men were still influenced by religion, and there was more scope for personality; moreover, public opinion, as it is now understood, was non-existent in the older England of segregated provincialism; and so history might be 'made' by one man or by a group. By his personality and his control of the Army Cromwell had forced these groups into cohesion or impotence; as soon as he was gone, they began to fall apart or assert themselves; nor was the semblance of unity restored until Monck intervened. The groups were numerous, but they may be roughly divided according as they favoured experiment or tradition. In the first category were included, among others, the Army, the Levellers, and the Sects, notably the Independents; in the second were Royalists, Lawyers, and Presbyterians.

'All laws in favour of liberty spring first from the disagreement of the people with their governors.' This was the keynote of Puritan reform; it sought to achieve constructive results by discussion and debate. That the people do not know what is good for themselves and must be guided or compelled—such was its second assumption; but public insistence on this truth showed that the reformers were not always good political strategists. As they rejected all secular precedent and authority, they propounded a rich variety of schemes. Thus, in the Army were some who favoured a written constitution, with a Senate to control the Commons; others were for single-chamber government; as a body, the officers were opposed to the effective rule of a single person, but were divided on the subject of the relations between the military and the civil power. They sought for guidance by prayer, and revelation was liable to be succeeded by revolution. More single-minded were the Levellers, the most zealous advocates of liberty of the subject, who held that Cromwell's rule was

¹ *Vox plebis, or the people's outcry* . . . (1646).

at least as tyrannical as the monarchy which it had displaced. They believed also that to all human laws should be applied the touchstone of the 'law eternal' which is implanted in every man's breast. So violently were they opposed to the Protectorate that many of them were willing to see Charles restored, provided he would accept their scheme of government, according to which authority is originally in the people; the chief magistrate should be elective and devoid of both military power and legislative veto; parliaments should be regularly summoned, and all penal laws for religious differences should be abolished. The royalist agents negotiating with the Levellers did not attempt to dispel the optimism inspiring these proposals.¹

The Leveller belief in the need for reform of law and legal procedure was shared by most of the Sects; indeed it was in this respect that the Puritan Revolution was to achieve some of its most constructive results. Demand for legal reform was sometimes based on a historical theory, according to which the Civil Wars were regarded as contests between the Norman and the Saxon elements in the nation.² On this assumption, the true history of England had not begun at the Norman Conquest but had ended there; for the invading foreigners had swept aside the 'laws' of Edward the Confessor, and had enforced on ingenuous Englishmen such iniquities as law-French, tithes, prelates, extortion, and tyranny. Now that the 'Norman yoke' was gone, reform must start from national origins, and must begin with the lawyers, who are the agents of prerogative, bigotry, and wealth. To Hugh Peters, 'vicar general and metropolitan of the Independents in Old and New England,' we owe the most comprehensive code of social reform based on these principles.³ He proposed that, if lawyers were necessary, they should be state servants; that civil litigation should be settled by local committees; that entails should be cut off for ever; that all judges should have their salaries from 'some public stock'; that small debtors should not be imprisoned; that freedom of bequest should be instituted. Having reformed the law, Peters would introduce many social

¹ *Clar. S.P.* iii. 430-1.

² e.g. Hare, *The Norman Yoke* (1647); also *St. Edward's Ghost* (1647), and *The Lawyer's Bane* (1647).

³ Hugh Peters, *Good work for a good magistrate* (1651).

and economic improvements: a national bank; more humane prisons; speedy trial of persons under indictment; registers for recording sales of land; alms-houses for the impotent poor, work for the able-bodied; improved internal communication by making rivers navigable; complete freedom of trade in towns; development of London docks; and maintenance of the sovereignty of the seas by a strong navy. Finally, he would have non-intervention in continental politics. As he would sweep away all the accumulated abuses of the past, Peters proposed that all the old records in the Tower should be destroyed. Unfortunately, this was the one suggestion singled out from his code and levelled against him.

Contrasted with all this was the traditionalism of Royalists, Lawyers, and Presbyterians. Throughout the Commonwealth the Royalists were ostracized, and many of them were ruined by fines; as a class therefore they were not able to exercise influence on the course of events; nor did the plotters among them achieve any definite success. The most influential of them were abroad in exile; but those who remained in England preserved at least the sentiment for the old order of things. Another class which was subjected to specially heavy taxation was the Lawyers. They had troubled James I and Charles I with their wrangling, and they had helped to precipitate the Civil Wars by their questioning of the prerogative. But the respectable and learned opposition of such as Coke and Selden was very different from that of the men who came to dominate the Long Parliament and the Army after 1643; for, while the lawyers would at times dictate to the crown, they did not therefore wish to destroy it. To them the king was the fountain of justice; they sought only to regulate the streams which flowed therefrom. Furthermore, the English common-lawyer had an instinctive respect for legitimacy, as well as a dislike of the amateur, however well intentioned; in kingship he found the tangible embodiment of that authority of which he was the interpreter; for in contrast with the idealist, who would have reason and morality first and law afterwards, the lawyer insisted that the validity of a code must precede its equity. He therefore maintained something of the instinct for monarchy. Of the practitioners who bridged the gulf some of the most noteworthy were sir Matthew Hale, sir Edward Atkins the senior,

Oliver St. John, and sir John Maynard, the last of whom lived to congratulate William III in 1688. Also, the lawyers proved more dexterous than any other profession in emerging from the avalanche of 1660.

This instinct for tradition was absent from the numerous sects into which the Puritan cause had degenerated; it is to be found, however, in the Presbyterians, whose alliance with a Stuart king had already caused the Second Civil War, an alliance which had its logical outcome in the reinstatement of his son. As then befitted an established church, the Presbyterians were uncompromising and intolerant; they had a standardized system of church government; in Scotland, they had a very definite theology, and in both England and Scotland they believed in limited monarchy and hereditary peerage. Their preachers were affirmed to be superior alike to the 'dumb dogs, the bishops', and to the testifying troopers and cobblers favoured by the Independents; even more, they had no association with the nebulous benevolence of the Independents, and nothing but horror for the vagaries of Quakers and Fifth Monarchy Men. Nor at that time did they have the characteristics associated with Dissent; for their system was a branch of continental Calvinism, and in the period 1648-60 it was in Scotland actually, and in England nominally, the established system of worship; moreover, it was still a religion fit for 'gentlemen', though there was soon to be a falling-off in the number of titled communicants. A limited monarchy and a powerful aristocracy—for profession of faith in these twin institutions the Presbyterians were then censured as the Whigs were afterwards eulogized. Among the most notable of the moderate Presbyterians before the Restoration were the earls of Manchester, Northumberland, and Warwick; Arthur Annesley, sergeant Maynard, and general Monck.

The knowledge that there existed in England a strong body of opinion in favour of kingship may have encouraged the exiled Stuart to persevere in his efforts to win the crown by negotiation or force. In receipt of a small pension from France and Spain (irregularly paid) Charles and his makeshift Court were ever on the alert for a change on the horizon. Would Mazarin continue the English alliance now that the Protectorate had gone and the Commonwealth was in difficulties? Would he not, in the

interests of France, help to terminate English anarchy by restoring the lawful sovereign? Failing Mazarin, might not Condé¹ or Turenne² be induced to use his troops and prestige for the reinstatement of Charles? So too with the Dutch. They had never been enthusiastic allies of Cromwell, and might now be expected to wipe off old scores against their commercial enemy.³ There was still a chance that Spain would help, if only to recover Jamaica; but the fall of Dunkirk (June 1658) and the comparative peace which followed the death of Cromwell served to make Spanish diplomacy still more cautious and dilatory. Moreover the wandering king was badly served, and his advisers included too many effeminate hot-heads and bellicose priests. Accordingly when, after the failure of Booth's rising (Aug. 1659), Charles decided to go to Fuenterrabia in the desperate hope of inducing Mazarin to make some provision for him in the Franco-Spanish settlement (the treaty of the Pyrenees), he was refused even an interview, because the French minister considered him a bad investment.⁴ Nor were these the only disappointments. The threat of hostilities between English and Dutch remained only a threat; and nothing came of projected offers of help from Saxony⁵ and Brandenburg.⁶ These rebuffs served to teach Charles the rudiments of diplomacy.

Thus by the autumn of 1659 it seemed that the contest between experiment and traditionalism had reached stalemate. On both sides there was much talk but little action; Lambert's foolish act was followed by discussion and negotiation, while the failure of Charles's agents to effect a successful demonstration in England was succeeded by discouragement and recrimination. Events proved, however, that it was better for England to work out her own salvation than to have a dissolute Court imposed upon her by force.

From the moment when (in October 1659) the officers in London shook off the incubus of the revived Long Parliament, a note of trepidation may be detected in their pronouncements.

¹ *Cal. Clar. S.P.* 49, 327.

² *Carte MS.* 213 ff., 360-6.

³ *Cal. Clar. S.P.* 128, 163.

⁴ *Lettres du cardinal Mazarin* (ed. G. d'Avenel), ix, 356.

⁵ *Cal. Clar. S.P.* 354.

⁶ *Ibid.* 359.

'This is a great work,' they wrote to Monck¹ (then commanding in Scotland), 'and we acknowledge we are weak and insufficient to maintain it, but our eyes are towards the Lord.' Monck, steadily gazing in the same direction, agreed that his correspondents were insufficient to carry through the enterprise on which they had embarked; he had regarded the recall of the Long Parliament in May as a dispensation, but its eviction clearly was not. His conduct on receiving the news of Lambert's doings was ominous. He ordered a fast; he directed his officers to seek the presence and direction of God, and he put all the Anabaptists in his army under restraint. Ever since his service under the Dutch he had held inviolate the principle of soldierly obedience to civilian authority;² now was the opportunity for vindicating that principle by one whose hands were unstained in post-Oliverian politics. Having announced to the Scottish Estates that he had a call from God to march into England 'for the liberty and being of parliaments . . . and a godly ministry'³ (Nov. 15), he received a generous supply, and took up his quarters at Coldstream. These evidences of displeasure caused misgivings among the officers at Whitehall, who well knew that without Monck's co-operation they were only a faction; indeed, some of the more astute observers such as Whitelocke perceived that Charles Stuart, who could not come in by foreign force might well come in by English disunion.⁴ For these reasons Fleetwood was advised to risk a free parliament and take upon himself the enterprise of restoring the king, but he could not be prevailed upon to adopt such a decisive course, and his indecision spread like a paralysis over the army and republican idealists in London. Already they had acquiesced in the second folly of Lambert—his departure (Nov. 3, 1659) at the head of an army on a mission of negotiation to Monck. It was a disastrous enterprise. Monck's three commissioners met Lambert at York and convinced him of the peaceable intentions of their principal, but by then most of Lambert's horses had died from disease, and his men had begun to desert from lack of pay. The futility of Lambert's mission intensified the menace from the

¹ *Clarke Papers*, iv. 67, Oct. 20, 1659.

² Firth, *Cromwell's Army*, 383.

³ *Clarke Papers*, iv. 113-14.

⁴ e.g. *Clarke Papers*, iv. 77, Lambert to Monck, Oct. 25. Cf. also B. Whitelocke, *Memorials of the English Affairs*, 373, 382.

north; and so by the end of November there were pitted against each other two armies—that of Monck in Scotland and that of Fleetwood in London.

These two forces were not divided on the simple question of monarchy, because both were committed against the heresy of government by single person; but they were sharply opposed regarding the recent eviction of the Long Parliament, and they disagreed on the question whether Fleetwood and his associates provided an adequate substitute for the civil government. Their first skirmish was with the pen¹ and resulted in a crushing defeat for the southern brethren. Protesting against the imprisonment of their Anabaptist sympathizers, the Whitehall junta wrote to their associates in Monck's army inviting them to cross the Jordan in order to enjoy in peace and brotherly union the blessings provided for them by the most recent dispensation of Providence. Monck's officers were in exile, but an exile where the theological standards were high; they replied² as follows:

Dear brethren and fellow soldiers in the Lord.

Great are the thoughts of our hearts for the divisions in Reuben; and we are (as you express it) deeply affected and afflicted in our own spirits when we consider what cause we have to be dissatisfied with you, our dear brethren; you, with whom we have lived and conversed together; with whom we have prayed, and fought together; with whom we have taken sweet counsel together in the house of God as friends. . . . We shall deal with you with that plainness and freedom and sincerity that becometh brethren.

We could not be satisfied that there was any such need of general officers as that the parliament should be pressed to it so unseasonably. . . . We are less satisfied that you should endeavour by a new way to wrest the power of their [parliament's] hands; thus making the Army a corporation in a manner independent from the civil power. That you should so soon return to former sins, and for the apparent interest of nine or ten persons . . . that is that lieth so sore upon our spirits; that is it that must of necessity make the three nations slaves to the Army. We cannot but in the name of the Lord tell you that these actings make us stink in the nostrils of the Good People, and cause the name of God to be evil spoken of, and his enemies to rejoice. How

¹ The correspondence was printed in *A letter from the officers at Whitehall . . . with the answer of General Monck and his officers*, 1659. The originals are in the *Clarke MSS.*, Worcester College, Oxford. See the *Clarke Papers*, iv. 105, n. 1.

² Nov. 7, 1659.

can you be for good things when you do that which is evil? How can you be for a free state and commonwealth when, for the sake of nine or ten persons you dissolve parliament? To what purpose is it to be against a single person if you be for nine or ten? Or for reformation, if you return so soon to former sins? Our daily prayer to God is that we may not be necessitated to make war on you.

And now, brethren, as yet dear and precious in our sight, we beseech you to lay these things to heart and repent . . . with a repentance not to be repented of. Lay not up your treasure in this world, but seek first the kingdom of God: do not evil because you think good may come of it. Finally, brethren, be not entangled with the yoke of bondage. The grace of Our Lord Jesus Christ be with you, Amen.

[Postscript] We entreat you not to put so harsh a name on the necessary and short restraint of our brethren as Bonds; we shall own them and use them as brethren . . . their pay is still continued.

The crisis was reached in December. On the thirteenth of that month the General Council of Officers in London announced the principles on which they were agreed;¹ these included (a) no kingship, (b) no single person, (c) no house of peers, (d) separation of the legislative and executive, and (e) a senate and lower chamber to be elected by duly qualified persons. In addition there were to be twenty-one Conservators of Liberty whose duty it was to preserve inviolate the fundamentals of the constitution—an innovation, the initiative for which was claimed by Ludlow, who may have derived it from Harrington.² In this scheme was embodied some of the most advanced political thinking of the Commonwealth, such as specially commended itself to those who wished to steer a middle course between the Scylla and Charybdis of single person and single house; and the proposals as thus formulated might have had at least a chance of trial if they had been the substitute for Richard's Protectorate. But the conditions of December 1659 were totally unlike those of the preceding May. Then the Army had had a free hand, as well as the goodwill of many civilians; now it had forfeited that good opinion by disunion and violence, and had to contend with the increasingly insistent demand that (since fundamentals were in question) some semblance of civil authority should first be restored. In his attempt to emulate Cromwellian traditions Lambert had

¹ *Mercurius Politicus*, no. 598; also *Steele*, i. 3141.

² *Ludlow*, ii. 99, 172-4; *Firth, House of Lords in the Civil War*, 266-7.

suddenly awakened Englishmen to the fact that the partnership and direction of Providence are not necessarily the monopoly of one man or one clique, and before the end of the year both he and Fleetwood had forfeited their claim to be the channels through which alone God's mercy flowed to the long-suffering nations. Lambert was already discredited by his frankness; Fleetwood, who prayed hard until two in the afternoon, was obliged at last to confess that 'God had spit in his face'.¹ By the time they had announced the terms of their panacea, men were looking elsewhere for guidance.

As in so many national crises the lead was taken by the city of London. In her civic organization, backed by the great city companies, London possessed an influential community having a prestige second only to that of parliament itself. This factor was now to influence events at a time when there were no leaders and scarcely a government. There was a strong Presbyterian element in the city; also a party of youth—the apprentices; and there were many not actively concerned with politics who held that the trade of the metropolis suffered by the absence of parliament. These different interests expressed themselves so vociferously by way of petition that the Committee of Safety was obliged to issue a proclamation prohibiting this method of seeking redress;² but (on the pretended score of illness) the lord mayor refused to publish this edict, so it was read outside the Exchange by a sergeant, supported by a troop of horse, to the accompaniment of a shower of ice and tiles.³ For several days the trade of the city was at a stand; many citizens armed; conflicts between soldiers and civilians were matters of everyday occurrence; hand grenades were stored in St. Paul's⁴ for emergencies, and the young gentlemen of the Inns of Court, anxious for a scrap, undertook to lead the townsmen; but prompt arrests served to avert serious bloodshed. Disaffection within the Army itself both prevented civil war and completed the discomfiture of the military leaders. Soldiers were heard to say that rather than wage war they would make a ring for their officers to fight in;⁵ they soon went further, for the Irish troops in London arrested their officers, and when

¹ *Cal. Clar. S.P.* 492.

² Dec. 1, 1659; *Steele*, i. 3137.

³ *Clarke Papers*, iv. 165, News-letter of Dec. 6.

⁴ *Ibid.* 186, Dec. 13.

⁵ Firth, *Cromwell's Army*, 384.

Portsmouth suddenly declared for parliament, the regiment sent to overawe it seized its leaders and carried them as a spectacle through the cheering town.¹ The next defection was even more serious—Lawson, in command of twenty-two ships at Gravesend, having declared for parliament, proceeded to sail up the Thames in order to enforce his demand. The revolution was completed when the soldiers, after parading in Lincoln's Inn Fields, marched by companies to the Rolls House, where they acknowledged old Speaker Lenthall as their commander, from whom they professed willingness to receive orders until the return from Portsmouth of Hesilrige and the other army commissioners.² Torn by divided counsels and deserted by all but Desborough and Vane, Fleetwood had to yield to the clamour; writs were hurriedly issued, and on December 26 there reassembled at Westminster the sorry remnant (about forty members) of the Long Parliament. They would serve at least to maintain the apostolic succession at Westminster; it was a Rump, but a civilian Rump, and from it, as from a rib, the whole political anatomy might one day be reassembled.

The parliament of December 1659 was certainly not a monarchist assembly, for it was still the embodiment of the Good Old Cause; but if it could be enlarged and reconditioned by the inclusion of those Presbyterians who had been expelled by Pride's Purge in December 1648, then the link with the past would be strengthened, and such an assembly might restore Charles on definite conditions. If, moreover, this extended Rump could be induced to 'go to the country' there was a possibility that a complete body would be returned, on the head of which the crown might safely be placed. A gamble on such a series of possibilities might ultimately justify itself, but it would be a gamble nevertheless; for almost anything might have happened—the Rumpers might have established a republic with Hesilrige as its president; or Lambert might have retrieved his mistakes and established a Protectorate; or he might have secured a son-in-law and restored a king at the same stroke; or Charles Stuart might have been brought back by a foreign power, or by a royalist rising in England—there was an endless series of possibilities, and speculation in these feverish markets would depend for success on

¹ *Clarke Papers*, iv. 216.

² *Ibid.* iv. 219.

silence, caution, and detachment from the bonds of personal allegiance.

The one man gifted with these qualities was George Monck. Prudence and brevity were the mottoes of his varied career, and even his wooing was said to have been conducted on these principles; for (according to Aubrey) when Clarges, his prospective brother-in-law, went to tell him that Anne Clarges was brought to bed:

'Of what?' asked Monck.

'Of a son,' replied Clarges.

'Why then,' said Monck, 'she is my wife.'¹

The unobtrusive circumspection which preceded his nuptials had served him at every stage of his career. After his detachment from the royalist cause in 1646 he had become a faithful servant of the Commonwealth, and was believed to have signed the Covenant, a relinquishment of his old allegiance which was rendered less obtrusive by the fact that his career was then mainly in Ireland. As commander-in-chief in Scotland he was again able to render distinguished service while remaining personally at some distance; indeed it had been jestingly said that Cromwell could not have got Monck out of Scotland even if he had tried. Faithful to Richard, he had advised him to reduce the Army, strengthen the Navy, and increase the power of the Presbyterian element, measures which, had they been capable of adoption, might have saved the Protectorate. 'Old Monck', though scarcely turned fifty, had the advantage of being thought older than he really was by men who distrusted youth. By twice declining a seat in the 'Other House' he had continued to maintain his equilibrium in the more spacious orbit through which he revolved.

As he followed Lambert's career through the summer and autumn of 1659 Monck saw his opportunity. To his own soldiers he imparted something of his own neutrality and ostensible obedience to the civil power; he professed joy at the news of Booth's defeat, and expressed the hope that the mere mention of Charles's return would be rewarded with hanging. He was for parliament only, but what lay beyond that, no one knew. What seemed certain was his fidelity to anti-monarchist principles;

¹ *Aubrey*, ii. 73. But see under 'Clarges' in *D.N.B. Corrigenda*.

otherwise he preserved his own counsels. His taciturnity was aided by the habit of chewing tobacco, and when, amid rumination, he interjected his contributions to a debate whether a man could be godly who said the same prayer twice, it was clear that he was still faithful to the old ritual.¹ Having taken up his station at Coldstream with about seven thousand foot and horse (Dec. 8) he was far enough off to make ineffective Lambert's attempts at compromise, but near enough to the border for a speedy march into England. There he remained until his military rivals in London had sufficiently discredited themselves; nor did he set out until, by the second recall of the Long Parliament in December, there was a civil institution in need of his support, in a city which expected much from his coming. Ostensibly 'the better countenancing' of the forty Rumpers was a good reason for intervention; nearer hand was Fairfax, who had roused Yorkshire in the cause of a free parliament,² and was willing to co-operate against Lambert, the common enemy; in the remoter distance were the possibilities of what a 'free' parliament might do after these years of purges and evictions. In the knowledge that he could depend on Fairfax against Lambert and on his own secretiveness against both republican and royalist, Monck crossed the Tweed on January 2, 1660.

South of the border Monck had no official status other than his commissionership of the Army; for it was doubtful whether the office of commander-in-chief to which he had been appointed by a few members of the old Council of State on November 24 still held good.³ At Wooler he received letters from parliament which confirmed him in his resolution. At Newcastle he came upon Lambert's army, now but a shadow of its former self; part of this he disbanded, part he enlisted. His next stop was at Nun-appleton, where he discussed events with general Fairfax, now openly advocating the return of the king; but Monck would not be drawn beyond his usual formula, that he would support parliament. Throughout his journey he was presented with addresses

¹ J. Price, *Mystery and method of His Majesty's happy restoration* (1680), 15.

² For the negotiations between Monck and Fairfax see *H.M.C. Rep.* vi, app. 466.

³ *Clarke Papers*, iv. 137-9; and G. Davies, *The early history of the Coldstream Guards*, 97-100.

from the gentry and freeholders pressing him to recall those Presbyterian members who had been 'secluded' from the House of Commons by Pride's Purge; he was also urged to dispense with oaths and engagements. The petition from Suffolk¹ contained these words: 'it is tedious to see government reeling from one hand to another; it is in your power to fix it'; while that from Devonshire,² Monck's native county, was more explicit in its statement that the majority desired a monarchy, and that the most strenuous opponents of restoration were the holders of confiscated estates. Elements of similarity in these documents suggest a common origin;³ indeed their simultaneous appearance throughout the greater part of the country at this time may have been one of the few successes in royalist propaganda on behalf of Charles.

But to all these requests the stereotyped reply was returned. At Newark he was still a 'black Monck', since no one could see through him, though his granting of commissions to men of profligate lives and anti-parliamentarian principles caused misgiving in the Rump, so that colonel Martin compared him to one 'that being sent for to make a sute of cloathes brought with him a budget full of carpenter's tools'.⁴ Two spies, Scott and Robinson, sent by parliament to meet him, could extract nothing incriminating. London was reached on February 3, and three days later the general was thanked in the Commons by Speaker Lenthall, who compared⁵ the deliverer to 'the little cloud no bigger than a man's hand which is in an instant become the refreshment of the whole nation'. This greeting was met with a characteristic reply. On his march south, he reported, the people had demanded a free and full parliament, the admission of the ex-members, and the determination of the proceedings of the existing assembly.⁶ As for advice, he counselled them to bind themselves with as few oaths as possible—words of ominous import to a now apprehensive audience.

Since the memorable twenty-sixth of December 1659 England

¹ *Cal. S.P. Dom.*, 1659-60, 332.

² *Ibid.* 330.

³ Possibly Prynne. For the development of propaganda in relation to public opinion see C. S. Emden, *The People and the Constitution* (1933).

⁴ *Ludlow*, ii. 207.

⁵ *Continuation of Baker's Chronicle*, 683.

⁶ *Ludlow*, ii. 216.

had been progressing through an intensive course of political evolution. Then the choice had been simple and fundamental—the Army or Parliament; now it was more complicated—the perpetuation of the Good Old Cause by the Rump, or the termination of that cause by the admission of the Presbyterians and a completely fresh start from a free or representative parliament. That the forty legislators had a divine call was evident from the fact that this was their second summons from oblivion; and now that they had freed themselves from the weighty loins of Fleetwood and Lambert, they professed to have no fears of the little finger of their deliverer. It is true that, apart from a congratulatory address sent by the London watermen,¹ they could not instance any demonstration of popular support; but, as venerable and select Levites claiming to have no inheritance in Israel, they asserted the prerogative of guiding the nation, and in this enterprise it was thought that they might carry Monck with them; for he was busily ‘countenancing’ their persons, while his wife plied their ladies with sweetmeats and wine, talking of her husband’s self-denial and irreproachable republicanism.² Some members, with an eye on Monck’s veterans, feared that he was bringing a pick-axe and spade for a job requiring only needle and thread; but he brushed aside these remonstrances with the assurance: ‘it matters not; I will do your work well enough, I warrant you.’ Soon the forty Rumpers were as forty interrogation marks personifying the great national conundrum: whither did these things tend?

The studied neutrality of Monck and the eager calculations of the Good Old Cause were upset by the city of London. In January there had been elected a new Common Council of a type likely to be impatient of the Rump; for it was ‘such a one as has not been seen since the beginning of these troubles, of the best and wealthiest of the city, amongst whom there is not one Anabaptist, or one who hath purchased crown lands, church lands or delinquents’ lands’.³ An immediate consequence of this was that two London aldermen were able to raise a considerable sum on behalf of the exiled king.⁴ But the position of Monck was now one of

¹ Jan. 31, 1659/60. *Steele*, i. 3149. It was ordered to be printed with an expression of the Speaker’s thanks.

² *Ludlow*, ii. 217.

³ *Clar. S.P.* iii. 641.

⁴ *Ibid.* 640–52, and *Cal. Clar. S.P.* 532.

some difficulty, for he was placed between two rival representatives of the civil power. He was ostensibly the protector and presumably the servant of parliament ('Now, George, we have thee body and soul', Hesilrige had exclaimed in the House), but he had no intention of being a tool; on the other hand, he knew that the enmity of the city was not lightly to be invoked. When the city refused to pay taxes on the ground that it was not represented at Westminster, Monck was suddenly forced to choose between London and the Rump. For hours he was locked up with Hesilrige and the Council at Whitehall; so prolonged into the night was their session that Mrs. Monck knocked at the door, demanding to see her husband on important business; and when at half-past two in the morning he at last emerged, it was clear from his pallor that he had passed through a severe ordeal. His news explained his dishevelled looks. All was naught, he said; for he had been ordered to arrest ten prominent citizens, pull down the gates of the city, and reduce London to the level of a village.¹ He had no choice but to obey. In the process of executing these orders he begged his taskmasters to mitigate their severity, but their reply was to send even more insistent orders;² and soon the city was reduced to 'as very a dorp as Islington'.³ His apology for this catastrophe was sympathetically received at the Guildhall, where he explained that he had undertaken a disagreeable duty in order that it might not be done more thoroughly by his enemies; he had broken down their gates as the servant of parliament and the friend of London. In this way was cemented the union between the general and the corporation, and while he was banqueting with the City Fathers, the Rump was burnt in effigy in the streets.

There were two consequences of the failure of this plot to discredit Monck, namely, the Rump lost what prestige it had possessed, and the generalissimo was securely entrenched in the position from which parliament had tried to drive him. Hence the forty legislators were obliged to acquiesce in the popular demand for a free parliament; and, as a preliminary thereto, they had to submit to the return of their old Presbyterian colleagues.

¹ Ashley Cooper's account (*Shaftesbury*, vi b, 442 sqq.) and Christie, *Shaftesbury*, i. 207.

² *Continuation of Baker's Chronicle*, 684, and Steele, i. 3151, Feb. 9, 1659-60.

³ *Cal. Clar. S.P.* 568.

Gathering together what remained of the secluded members, Monck addressed them thus:¹

When I consider that wisdom and self-denial which I have reason to be confident lodgeth in you, and how great a share of the nation's sufferings will fall on you in case the Lord deny us now a settlement, I am in very good hopes there will be found in you all such melting bowels towards these poor nations that you will become healers and makers-up of all its woeful breaches. . . . I have nothing before my eyes but God's glory and the setting of these nations upon Commonwealth foundations.

Having then adjured them to provide for the Army, appoint a new Council of State, and agree to issue writs for a new parliament to meet in April, he secured their admission under the protection of his guards (Feb. 21)—the only exhibition of force in the events leading directly to the Restoration. As the secluded members took their seats Heselrige and others cried out that Monck was a traitor, and several 'sitting' members left the House; but a tense situation was saved by a touch of humour when there appeared a ghastly apparition from the past in the form of 'crop-eared' Prynne, trailing a long sword between the legs of his fellow seclusionists, and settling himself firmly in a seat from which he had already been twice ejected by force. The Rump, now the inspiration of a facile and uniformly obscene muse, was only a bare bone; but movement was at last possible, because parliament was again in gear:

The parliament now will
Come into their Geers,
For secluded Pryn
That once lost his cares,
March't in with his rapier
For Commons and Peers.
To fill up the parliament full, full, full,
To fill up the parliament full.²

This event was speedily followed by changes serving still further to discredit the Good Old Cause and to forge the links with the historic past. Of the old leaders, Heselrige was obliged to secure

¹ *Bodley, Godwin Pamph.* 1272.

² *England's triumph or the Rump routed*, in *Bodley, Pamph. Wood*, 416, xlvi.

his safety by a secret compromise with Monck;¹ Lambert, bereft of his army, was in London, hiding from arrest; Fleetwood, in the language of a contemporary,² was left in the briars of Wallingford House garden, having been deceived and deserted by the woman whom Oliver had given him; all the fallen grandees were commemorated in mock petitions and lampoons scribbled by the scurrilous. Meanwhile the work of reinstatement had begun. Booth and other political prisoners were released; the Common Council of the city was confirmed in office; the gates and portcullises of the city were restored at public expense, and a grateful London devoted a day of prayer and thanks for the return of the secluded members. The old Council of State was displaced by a new one, in which appeared Fairfax, Ashley Cooper, sir Harbottle Grimstone, Denzil Holles, and sergeant Maynard—all of them known to have Presbyterian leanings. Monck himself acquired official status by his appointment to the office of commander-in-chief of all the land forces, in which capacity he dealt severely with what remained of army politics and army politicians. Lambert was captured and sent to the Tower; Fleetwood's army was disbanded; all unemployed officers were ordered to stations assigned them by Monck and required to stay there. Throughout these critical days of February and March 1660 Monck never lost his head, not even at the frequent Guildhall banquets which he attended;³ for neither wine nor success could thaw his constitutional moroseness and taciturnity. He was still, according to his speeches, against monarchy, as that would bring back prelacy; he was anxious to secure a moderate as distinct from a rigid Presbyterianism; he was for a gospel ministry, and universities devoted to sincere piety and sound learning. No one could quarrel with such professions, even in this, the most 'accusative' age of English history. He declined the specious offer of Hampton Court, knowing as he did that real estate, particularly crown land, was then a very dubious investment. 'Such a merit as his could be rewarded only with death,' it was said.⁴ He was content, however, with a parliamentary gift of £20,000.

¹ *Clarke Papers*, iv. 302, app. D.

² *Bodley, Pamph. Wood*, 276 a, cci.

³ See *Ludlow*, ii. 244, for Ludlow's strictures on these entertainments.

⁴ *Continuation of Baker's Chronicle*, 693.

Thus by the month of March 1660 the position was this—a decayed remnant of parliament had been reinvigorated by a transfusion of Presbyterian blood in order to provide the energy required for committing suicide; a Council of State had been appointed composed chiefly of Presbyterians harbouring royalist sympathies; Monck, still elusive, was nominally the enemy of the Stuarts, but his army, perceiving 'that the abandoned interest of Charles Stuart doth seem to shine in the face of public transactions',¹ was unwilling to be fooled any further. Having just emerged from the contest between parliament and city, how would the general fare in the threatened conflict between his army and parliament? He had successfully disposed of the Rump and retained the goodwill of London; but would the men who had marched and prayed and fought with him allow this dallying with the Scarlet Woman who held both Presbyterian and Royalist in her thrall? So long as Monck hedged he was safe: a feather might disturb the balance and precipitate a decision.

The feather was vigorously thrust into the scale by the prize heavyweight of his age—William Prynne. A Presbyterian in religion and politics, and a rigid Puritan in the forbidding austerity of his morals, 'marginal' Prynne had hitherto so timed the pulsations of his vituperation as to guarantee, in an age of quick change, a remarkable continuity of punishment and imprisonment for himself. He had begun, in the happier days of Charles I, by attacking 'love-locks', face painting, drinking of healths, and the appearance of women on the stage, thereby losing his ears; when Laud was omnipotent, he assailed Arminianism, Prelacy, Free Will, Jesuits, and Ship-Money, suffering in consequence further fine and imprisonment as well as losing what little remained of his ears; in the Second Civil War he was again in trouble for advocating the unpopular causes of Monarchy and the Lords, and was among the most loud-voiced of the secluded Presbyterians; the advent of the Commonwealth he greeted with unmeasured attacks on Cromwell, the Army, and Free State tyranny, for which he again went to prison; and when released declaimed with greater ardour than ever against Jews, Quakers, Levellers, Independents, and lay preachers. By that time, however, the hope of silencing him had been abandoned. Of a

¹ Ibid. 691.

saturnine and witch-like countenance, a grimy burrower into hidden works of darkness, he had been so constructed that the ordinary human instincts of self-interest and calculation were completely displaced in him by chronic vertigo and an incurable itch for scribbling. In the early days of 1660 he found to his surprise that he was on the winning side. As one of the secluded members readmitted in February he procured the removal from the *Journals* of the oath of fidelity to the Commonwealth, and he had already supplied royalist agents with material for the petitions presented to Monck on his march,¹ services which earned for him a personal letter of thanks from Charles Stuart.² By a characteristic gesture this 'rhinoceros in blinkers'³ now stampeded into a breach which Monck feared even to approach. On March 12 the Commons passed an Act placing the Militia in the hands of men known to be enemies of the Commonwealth; whereupon Monck, urged by his officers, was obliged to beg the Commons to forbear putting the Act into force, since he might thereby forfeit the support of his troops. A risk had to be taken and at this time Monck was not the man to take it; whereupon Prynne himself took the Act to the printers and had it published.⁴

Thus did Prynne make explicit what every one now believed to be implicit in Monck's designs. If from nothing else, these designs might have been deduced from the general's choice of personnel; for he appointed sir Horace Townshend governor of Lynn, Charles Howard of Carlisle, sir P. Killigrew of Pendennis Castle, and his kinsman William Morrice he made governor of Plymouth. It was Morrice who had most strongly urged Monck to readmit the secluded members;⁵ it was he who, acting as intermediary with sir John Grenville, provided a link in the chain connecting the general with Charles's Court. On March 19 Monck interviewed Grenville in the presence of Morrice and accepted a letter from Charles, delivery of which he had refused in the previous year.⁶ Still unwilling to put anything on paper,⁷ the generalissimo sent a message by Grenville to the effect that while he much desired

¹ *Cal. Clar. S.P.* 532. *Supra*, 20. ² His reply is in *Carte MS.* 30, f. 592.

³ The phrase is David Masson's (*Life of Milton*, v. 449).

⁴ *Ludlow*, ii. 248. ⁵ *Nicholas Papers*, iv. 195. ⁶ *Clar. S.P.* iii. 622.

⁷ As late as Apr. 6 the Council of State was ignorant of Monck's communications with Charles (*ibid.* 722).

his Majesty's restoration, it must be cautiously attempted.¹ He advised Charles to declare a free and general pardon to his subjects, except such as should be excepted; and that none should be punished for differences in matters of religion. He added also that he had intelligence of a Spanish design to detain the king in Flanders, and therefore advised him to leave Spanish territory and go to Breda or some Dutch town. On his arrival at Ostend Grenville put this advice into writing; the Declaration of Breda, drawn up with the concurrence of Hyde, Ormonde, and Nicholas was the result (Apr. 4/14). Its promise of toleration was valid only in so far as a 'free' parliament ratified it.

The reinforced Rump was now engaged in winding up its affairs, many of its members acting on the conviction that they would be returned by their constituencies to the parliament which was to follow;² and meanwhile the Army was pacified by a circular letter wherein Monck promised to intercede with the new legislature for an Act confirming them in their lands. On March 15 the Council of State (presided over by Arthur Annesley, an old secluded member) was empowered to act in the interval between the two parliaments, and on the following day the Long Parliament was formally dissolved by a bill containing this important proviso³—'that the single actings of this House, enforced by the pressing necessities of the present times, are not intended in the least to infringe, much less take away the ancient, native right which the House of Peers, consisting of those lords that did engage in the cause of the parliament . . . had and have to be a part of the parliament of England'. A resolution⁴ that April 6 should be kept as a day of national fasting and humiliation was the last and characteristic act of a parliament which, once famous for pulling down, was now busily putting back.

It was generally assumed that the king's return would be a conditional one; indeed the Council of State, after a week spent in examining the treaties of Oxford, Uxbridge, and Newport,⁵

¹ *Continuation of Baker's Chronicle*, 695–6.

² 'They say the Rumpers bid great sums of money in many borough towns to be elected in the next parliament.' Massey to Hyde, Mar. 16, 1660. *Thurloe State Papers* (1742), vii. 855. The term Rumper here includes Presbyterian. ³ *C.J.* vii. 880, Mar. 16. ⁴ *Steele*, i. 3165, Mar. 16, 1660.

⁵ *Cal. Clar. S.P.* 634. For the scheme in which Manchester was to be lord treasurer see *ibid.* 614.

negotiated with Manchester and the Presbyterian peers for the imposition of terms such as Charles I had been willing to accept in 1648, terms which wrested control of the Militia from the crown and provided some guarantee of parliamentary government. Moreover, the Presbyterians were not alone in desiring such conditions; for in this they had the support of Monck and his Army, the Council, the City, and the Navy;¹ nor was the desire for limitations of merely academic import, since among the men now co-operating to restore monarchy there were many who desired immunity for their own past conduct, and still more who were anxious to secure some degree of toleration for the beliefs which they professed. Why did Charles eventually return without conditions?

The answer may be that the Presbyterians were completely submerged by the ridicule and odium showered on them by a country fast becoming more royalist than the king himself. It was Charles's opinion that by negotiating secretly with Monck he was avoiding a conditional return; and it seems to have been held by the Court that, with the failure of Booth's rising, there was no reason why terms should be imposed. Monck might have secured conditions on behalf of his fellow Presbyterians before the king's return; but by his fear of taking a false step he left the way open for more adventurous managers, and so unwittingly betrayed the party which he represented. Also, the Presbyterian nobles assumed too lightly that it was for them to formulate conditions, forgetting that, even if they managed to veto the cavalier peers, there was growing up a younger generation of nobility which could not reasonably be excluded;² so too, the rank and file of the party over-estimated their chances at the general election of April 1660; indeed, few of the older men appear to have realized that a younger generation was growing up to whom the Civil Wars were only recollections of childhood, and Solemn League and Good Old Cause but outworn tags of an

¹ *Carte MS.* 30, ff. 590-1.

² 'These fourteen [Peers] that sat in '48 would very fain make themselves a noble Rump, if they could find out any counsellable way to effect it.' Barwick to Hyde, *Clar. S.P.* iii. 729, Apr. 16, 1660. For the contest between these lords and the younger peers, represented by Oxford, Peters, and Rivers, see Coventry to Ormonde, Apr. 27, in Carte, *Collection of original letters and papers* (1730), ii. 328.

evil past. Nor had allowance been made for the great wave of loyalism which, gathering force like a torrent, swept the country of everything but devotion to the crown, thrusting even the most moderate Presbyterianism into the wreckage, and defeating the hopes of those who had done most to effect Restoration by peaceable means. 'It must be a king surrounded with majestick beams,' wrote one of Manchester's public correspondents, 'consecrated with holy oil, invested with inviolable authority and power . . . such a prince and nothing else will answer our expectations. A duke of Venice is now a byword: chief magistrate is grown a nick-name.'¹ This change was observed by the French ambassador Bordeaux,² who reported that there was a general desire to recall the king without conditions; he noted also that the Presbyterians had been abandoned by Monck. Not compromise, but revenge was the danger to be anticipated, and it is significant that throughout the month of April 1660 there were numerous declarations from the royalist gentry expressing the hope that animosity might not be shown to their former enemies.³

The interval between the dissolution of the Long Parliament and the meeting of the Convention (Mar. 17-Apr. 25) was a critical period. As 'Keepers of the Liberties of England' the Council of State decreed the removal of disbanded troops from London⁴ and forbade meetings until the assembly of parliament; army agitators were ordered to be arrested;⁵ suspicious persons passing to and from the seas were taken into custody. The writs issued to sheriffs for the new parliament contained an express veto⁶ on the election of those persons or their sons who had fought on the royalist side, a veto afterwards found to be ineffective. The chief danger was from Lambert, who, having escaped from the Tower, was suspected of plotting an insurrection with Hewson, Okey, and colonel Richard Lilburne; but his capture near Daventry by colonel Ingoldsby (Apr. 21) removed the last impediment to a settlement. Monck still retained something of his detachment; he would take no decisive step until the results of the general election were known and the complexion of the

¹ *Vox et Votum populi Anglicani*, by T. C., 1660 (*Bodley, Pamph. Wood*, 608).

² *Baschet*, 107. Bordeaux to Mazarin, Apr. 30/May 10, 1660.

³ *Bodley, Pamph. Wood*, 276 a, cvii sqq.

⁴ *Steele*, i, 3166, Mar. 17.

⁵ *Ibid.* 3174, Mar. 24.

⁶ *Ibid.* 3171 and 3176, Mar. 18 and 28.

new parliament revealed. He had saved Israel from the Midianites, but it was not for him to rule; so like Gideon he conducted himself with meekness, and the chiding Ephraimites he sent away with smooth words.

The elections proved a disappointment to the Presbyterians.¹ In several boroughs there had already begun a reinstatement of persons excluded during the Commonwealth,² a change seldom in favour of the Presbyterians, who, moreover, were chosen for few counties, and in those instances only where the royalist element concurred. In spite of the prohibition excluding them, about 100 members were returned who had taken up arms against parliament;³ these were royalist almost to a man, as were also the large proportion of young men whom the French ambassador noticed in the House.⁴ By superior management the Presbyterians succeeded in obtaining the Speakership for an old secluded member—sir Harbottle Grimstone; but they never had a clear majority, and the by-elections may have further diminished their strength. For the moment, however, the two parties were united, and the personnel of the Convention is of special interest because it combined representatives of families that had played a notable part in Civil War struggles with members who, on the basis of their territorial connexion, were destined to exercise a profound influence on the politics of the succeeding century; indeed, it was in the Convention that these latter families were present for the first time in great force. In the former category were a Hampden for a Buckinghamshire borough, an Eliot for a Cornish borough, a Fiennes for Oxfordshire, and a Cromwell for Huntingdonshire; in the latter class an Onslow for Guildford, a Howard for Cumberland, a Stanley for Liverpool, a Godolphin for Helston, a Walpole for King's Lynn, a Townshend for Norfolk, a Temple for Buckingham, a Cavendish for Derbyshire, a Harley for Herefordshire, a Russell for Tavistock, a Somerset for Monmouth, and a Pelham for Sussex. Thus the Convention which effected a bloodless revolution was representative not of the town but of the landed estate, and was dominated not by the tradesmen

¹ For this see *Clar. S.P.* iii. 731; *Clar. Cont.* i. 329; *Autobiography of Sir John Bramstone* (Camd. Soc.), 115; and Miss L. F. Brown, in *E.H.R.* xxii. 51 sqq.

² J. H. Sacret, 'Restoration government and municipal corporations' in *E.H.R.* xlv. ³ *Cal. S.P. Dom.*, 1659-60, 395. ⁴ *Baschet*, 107, May 24/June 3.

and craftsmen of Commonwealth constituencies, but by the ancestors of most of the statesmen and prime ministers of the eighteenth century. Its temper was not that of a continental convention, but of a British House of Lords. Hence its conservatism.

Just as from the nucleus of the Rump there had developed the 'free' convention of April 1660, so the small body of Presbyterian peers expanded gradually into the House of Lords, though the time for the return of the bishops was not yet. On April 27 Monck consented to the admission of the 'young lords', thereby enveloping the presbyterian or parliamentary peers with about thirty sons of Royalists.¹ The question of admitting those peers who had fought for the king was more difficult; but Charles himself intervened at this point with a request that they would forbear pressing their claims, since otherwise they might raise the difficulty of 'unqualified' members of the Commons. On May 14, however, several of these lords were invited by their House to resume their seats, and this provided a precedent for the return of the others without summons; by June 1, indeed, about eighty peers were in session, whereas on April 25 only ten had made an appearance. Thus, by postponing vexed questions of principle, many of the elements of the constitution as it had existed before 1645 were quietly reinstated. Abroad, there was soon to be a renaissance of personal absolutism, strengthened by a preceding period of experiment or anarchy; in England, however, it was not the king that was restored, but the king in parliament.

This passage from Commonwealth to Monarchy was effected with extreme deliberation. Acting in co-operation with the few lords who at first took their seats, the Commons maintained contact with the Council of State, through its president (Annesley), and with the city of London, through the lord mayor and aldermen. Conjunction with the City was necessary not only for assistance in raising money, but because the presence of the magistrates at functions of national importance, such as the proclamation of Charles in Westminster Hall on May 8, served to give a more general sanction to the proceedings of the two Houses. No Convention ever acted with less precipitance than did this. On Wednesday, April 25, they began with a sermon

¹ Firth, *House of Lords in the Civil War*, 283 sqq.

from Dr. Reynolds at St. Margaret's, and set apart the following Monday as a day of fasting and humiliation; on Thursday, after appointing a committee for privileges and elections, they voted their thanks to Monck, 'our physician, who hath cured us with his lenitives'; Friday was occupied with the double returns; Monday was the fast day.¹ Meanwhile the western burgesses were arriving in London,² and on Tuesday, May 1, the 'great business touching the settlement of the nations' was at last taken in hand. Three documents, hitherto kept back by Monck, were communicated by the Council of State, which, after being read, were entered in the *Journals*. These were the Declaration of Breda, a letter to Monck, and a letter to the House of Commons. 'We shall always look upon your counsels as the best we can receive' was Charles's assuring message for his faithful Commons; the letter to Monck deprecated the evils of power 'assumed by passion and appetite and not supported by justice'; the Declaration of Breda invited all Englishmen, save such as should be excepted, to rely on the word of a king, and gave hints that, subject to parliamentary approval, there would be a measure of toleration for all who desired to live in peace.

Warmed by these assurances, the Commons resolved to grant a gift of £50,000 to the absent king, directing that a committee should consult with the lord mayor and aldermen on the best means of raising this sum; an assessment of £70,000 per month was also ordered to be levied. The Lords then took the lead. Having placed on record the principle that 'according to the ancient and fundamental laws of the kingdom the government is and ought to be by king, lords and commons', they voted that means should be devised to secure the king's return to his people.³ With both these resolutions the Commons expressed their concurrence.⁴ To maintain public order, the commissioners of the Navy, Customs and Excise and all sheriffs, justices, mayors, and constables in office on April 25 were ordered by proclamation to continue in the exercise of their duties.⁵ On May 7 the two Houses agreed that Charles should be proclaimed on the following day, and the form of proclamation⁶ used on May 8 declared

¹ C.J. viii. 2 sqq.

² Carte, *Collection of original letters*, ii. 328.

³ Annesley's report from conference with the Lords, May 1, in C.J. viii. 7.

⁴ Ibid. viii. 8. ⁵ Steele, i. 3186, May 7, and 3201, May 11. ⁶ Ibid. 3188.

that the imperial crown of England 'by inherent birth-right and lawful and undoubted succession' had descended on Charles immediately on the death of his father; in effect therefore the year of his restoration was reckoned as the twelfth of his reign.

It needed only the presence of the king in order that the Restoration might be complete. The duty of escorting him was entrusted to Edward Montagu, afterwards first earl of Sandwich, one of the Montagus who had thrown in their lot with the parliament while dissociating themselves from the king's trial and execution. Like Monck, Montagu had performed brilliant naval service for Cromwell in spite of complete lack of experience at sea. The fall of Richard Cromwell dissolved his bonds of obligation, and in the summer of 1659 he had been won over to the royalist cause by his cousin, an active agent for Charles.¹ In command of the fleet ordered to the Sound in order to mediate peace between Sweden and Denmark, Montagu, on his own initiative, had brought his ships home in the hope of assisting the operations of sir George Booth—a glaring breach of discipline; but he was too late, and he was fortunate² in that he was allowed to resign his command. The events of January 1660 restored his prestige. His intense dislike of Monck did not prevent his accepting joint control of the fleet with him (Feb. 23, 1660), and thereupon, with the help of Pepys, he 'purged' the Navy, dismissing Anabaptists and Sectaries, or sending them to distant stations,³ and so securing from the eminence of the quarter-deck that uniformity of opinion unattainable in the camp. Shouts of 'God bless King Charles' greeted the admiral's announcement (May 3) that a naval council of war had decided for monarchy, and the last act in the drama of the royal home-coming could now be staged.

With eighteen commissioners Montagu proceeded to the Dutch coast in order to bring the king home to England,⁴ and on the 25th day of May 1660 the restored exile stepped briskly ashore

¹ *Cal. Clar. S.P.* 244-6.

² The Commons were then preoccupied with Lambert—Sandwich, *Journal* (ed. Anderson, *N.R.S.*), 47. For the proceedings of the Council of State in regard to Montagu's return see the Council's Minutes in *Rawl. MS.*, A 134, Sept. 17, 1659.

³ F. R. Harris, *Life of Edward Montagu, first earl of Sandwich*, i. 175.

⁴ Sandwich, *Journal* (*N.R.S.*), 76-7.

at Dover, where he received the homage of Monck (whom he greeted as Father), while a large concourse of nobility and gentry offered their welcome from a marquee erected on the shore. From the mayor, Charles received a bible; and tears were shed as the king assured the donor that it would be the most treasured possession of his life. Therein he might at least have found a clue to some recent happenings in his kingdoms; for search would have revealed these words: *This kind goeth not out but by prayer and fasting*. But it was no time for such explanations. The royal equipage then proceeded by easy stages to London, through highways resounding with the cheers of a populace which rejoiced that its king had returned.

II

THE LAND: ITS PRODUCTS AND INDUSTRIES

I. PROVINCIAL ENGLAND: A BRIEF SURVEY

THE England to which Charles had returned was rich in two beautiful things, her poetry and her parish churches. These things, now numbered among the most graceful elements in the English heritage, were the products of a distinctive and rapidly maturing civilization; it is with the material conditions which made possible this civilization that the present chapter is concerned.

No survey, however brief, can ignore the geological conformation which predetermines so much of human activity. Within the compass of England are to be found many differences of rock-structure of vital importance to the agriculturist, and of interest to the student of history, differences which are most clearly evidenced in variations of soil and rainfall. Thus, in the south-eastern counties the rainfall seldom exceeds 24 inches, and on the Thames estuary it averages 18-19 inches; whereas in the north and west it often exceeds 30 inches, and in parts of the Lake District it exceeds 100 inches. One result of this diversity is the great variation of pastures, and hence the variety of wool—a factor of supreme economic importance in English history. It is more difficult to generalize about soils, because, in addition to difference of geological structure, there are glacial drifts and other deposits due to various forces, such as wind and the flow of rivers; with the result that in the same county many kinds of soil may be found. An example is Yorkshire, where there are (1) the Pennine moors in the west, composed of Carboniferous Limestone, Millstone Grit, and Coal Measures; (2) the Vale of York, from the Humber to the mouth of the Tees, composed of soft Trias, and Lias covered with Boulder Clay; (3) the North York Moors (including the Cleveland Hills and Tabular Hills) composed of hard Jurassic Sandstones; (4) the Vale of Pickering, a glacial-period lake-bed, composed of Kimmeridge Clay covered with alluvium; (5) the Chalk Wolds, forming a broad strip from

the Humber to the mouth of the Tees; and (6) the levels of Holderness and Humber Mouth, composed of Boulder Clay and alluvium. Such is the diversity to be found within the limits of a single English county. In other counties a somewhat greater degree of uniformity may be traced. Thus in Cheshire there are substrata of Keuper Marl and Bunter Sandstone, overlaid with 'drift' or Boulder Clay, the result being a stiff soil best suited to pasture and cheese-making. Conditions are somewhat similar in Leicestershire and parts of Warwickshire, where there are glacial drifts over the Trias Sandstone and Lias Clay, providing pasture on the heavier lands and good arable on the Limestones and Ironstones;¹ farther south the Kimmeridge Clay favours dairy farming in the Vales of Aylesbury and White Horse.² Contrasted with these districts are Herefordshire and parts of Worcestershire, where the Old Red Sandstone has (exceptionally) worn down to a very rich soil, accounting for some of the best pasture and fruit farms in the country. Geology may well determine the uses to which the soil is put, and may therefore indirectly influence the character and habits of many generations of men.³

It is possible to distinguish two areas of England contrasted in the geological age of their respective rock formations. The southern of these includes three zones of very different size: (1) a strip bounded on the north by the Tees and on the west by the Pennines and the Yorkshire coal-fields; (2) a strip bounded on the east by the Pennines and on the north by the Lancashire coal-fields, roughly conterminous with Cheshire; and (3) the zone defined on the north by the southern extremity of the Pennines, on the west by the Welsh Marches, the Shropshire Hills, and the Malvern Hills, on the south-west by the Mendips, Exmoor, and Dartmoor, and by the sea on the south and east. Within this, the third of the above triple set of limits, lies that part of England to which the name the English Plain has been given, in contrast with the uplands of the north, the north-west, Wales, and the Cornwall-Devon peninsula. This name does not denote a district

¹ R. H. Rastall, *Agricultural Geology* (1916), 256.

² *Ibid.* 268.

³ Reference should be made to *Great Britain, Essays in Regional Geography* (ed. A. G. Ogilvie, 2nd ed. 1930), and H. J. Mackinder, *Britain and the British Seas* (2nd ed. 1907). Good geological maps of England have been published by the Ordnance Survey.

of geological uniformity, but implies a preponderance of the softer and more recent formations, such as clay, chalk, marl, and sand, watered by old rivers which have worn down their beds to gentle and sinuous courses, with wide lateral deposits of fertile silt. Geologically, the two smaller zones as already described are similar in structure to the English Plain, and are its northern continuations; the secondary and tertiary deposits of all three are sharply contrasted with the hardened slates, quartzites, and igneous rocks which preponderate outside the above-mentioned limits. The general difference between the two parts of England as thus indicated can be seen not only in contour, but in climate. Along the north-western coast-line the high average rainfall accounts for the prevalence of oats over barley; while in the eastern and south-eastern midlands there are sharper frosts, and periods of drought are more frequent; but these extremes can be tolerated by wheat, because it is more deeply rooted. In consequence these lowlands are, on the whole, better adapted for cereals; while the best grass is to be found in the cultivable portions of the north and west.¹ There are many qualifications which prevent such distinctions from being absolute. Thus Devon is composed of the same types of materials as the north-west of Scotland; but the high average temperature combined with the rainfall helps to promote agriculture in many parts of that county.

Much of English history was inexorably dictated by the broad geological contrast between the north and west on the one hand, and the south and east on the other. Thus it is possible that in the English Plain history has moved more rapidly than elsewhere. In the order of creation its surface was younger than that of its northern and western neighbours; its long and navigable rivers, open to the Continent, were standing invitations to invasion; and it was here that first Teuton and then Dane most quickly established their civilizations. It was in the midlands and eastern midlands that, from ancient kingdoms there emerged the new grouping of the county, having its centre in a fortified town situated on a river; here also, on the drift and alluvium imposed on the clays of Warwickshire, Leicestershire, Oxfordshire, Northampton, Rutland, and Bedfordshire, conditions specially favoured

¹ For this see H. J. Mackinder, *Britain and the British Seas*, 61-5, and 172-3. This book, now a classic, should be read by all students of English history.

the common-field cultivator who, as he worked on a subsistence level, needed land cleared and cultivable, whereon he might grow corn and wool with the minimum of agricultural equipment and the maximum of agricultural waste. Here also the two-field system was succeeded, as early as the fourteenth century, by the three-field, as later by the four-field system;¹ here were brought into sharper contrast the archaic 'champion' farming and the more scientific economy destined to take its place. Within this area change continued to be rapid. In the central and eastern midlands was that part of England where the earliest pioneer work had been done by both Providence and Man; for there were no mountains, no great stretches of forest, no precipitate rivers, few mine workings, no large centres of population to invite intensive cultivation for a busy market; but a comparatively flat or undulating country of clay, or sand, or chalk, best adapted first for the squatter, because just fertile enough to provide him with a livelihood; then for the capitalist improver, because sufficiently unproductive to invite the application of pains and ingenuity; and lastly for the fox-hunter, because its scattered copses provided some cover for the fox, and its great stretches of turf and ploughed land long runs for the horse. The fields now pounded by the horses of the fashionable are those where the hand-to-mouth existence of the open-fielder survived longest, and where the experiments and evictions of the improver commenced first.

Nor is it only our agriculture that has been predetermined by geology; for it may not be altogether fanciful to trace, through this intermediate stage, some influence on our political history. Thus, it is noteworthy that most of the movements now considered comparatively progressive succeeded best in the English Plain; while the advocates of obsolescent tradition or awakened sentiment came mainly from outside its borders. The Yorkists had found most of their best supporters in the families of the midlands and south-east, whereas the Lancastrians and the upholders of the older régime had their strength mostly in the north and south-west; in the Civil Wars there was a similar distribution of the areas associated with the new cause and the old; indeed in 1644 the part of England held by the parliamentary forces was (except for the district round Tamworth) conterminous with the

¹ H. L. Gray, *English Field Systems*, 109, 154.

greater part of the English Plain, and included all of its eastern portion. The Second Civil War was decided on its north-western fringe—at Preston and Wigan. So too, the great risings of English history have sometimes met their fate on the borders of the Plain; for Perkin Warbeck, after finding supporters in Cornwall, had to submit at Taunton, and Monmouth met his fate at the same south-western corner—at Sedgemoor. The '15 penetrated no farther south than Preston; the '45 was held up at Derby, just within the Plain. Between these invaders and the capital there were soldiers; but there was a more effective barrier—an almost level country, every part of which was being put to some use by a settled population of squires and small men; here, in the continental angle of England, there was conservatism, but also progress, and these are the two qualities which have moulded the destinies of the race. Against this barrier the sentiment for the Stuarts was finally shattered, and one is tempted to conclude that while reaction or novelty might stir into agitation the extremities of the old provincial England, the heart still beat with measured pulse.

Better than description, the map¹ will serve to indicate those natural features which have helped to direct the course of English industry. For one thing England was indebted to the Roman occupation—for a road system; and the convergence of the highways on London facilitated the later development of the capital. Even more obvious is the importance of the rivers. Like France, England has been favoured in this respect by nature, and the waterways have been avenues not only for the transit of goods, but for the spread of civilization; hence few of the earlier towns were distant from a river, or more than a few hundred feet above sea-level. Three main river systems may be noted. In the northern midlands the Trent, utilized by the counties of Stafford, Derby, Nottingham, and a part of Lincolnshire, served for the conveyance of lead, timber, wool, corn, pottery, and cheese, and provided also an outlet for the products of Cheshire and Warwickshire. A second great river valley is that of the Severn, by which merchandise could be shipped between Bristol, Gloucester, Worcester, Bridgnorth, and Shrewsbury, while its tributary the

¹ See the map of seventeenth-century England published by the Ordnance Survey, with preface by G. M. Trevelyan.

Wye facilitated the transport of corn and fruit from Herefordshire. The third important river valley is that of the Thames, the reservoir of numerous small tributaries, including the Colne, Lee, Wandle, and Roding, which served districts in Essex, Hertfordshire, Bedfordshire, and Surrey; farther down is the Medway, on which timber was conveyed to the naval base at Chatham. Thus the rivers of England, with their predominantly eastward flow, helped to predetermine three industrial areas—first, that across the country from Lancashire and Cheshire on the west to south Yorkshire and north Lincolnshire on the east, a band watered by the Trent, Humber, Ouse, Don, Aire, Calder, Mersey, and Irwell. This area was comparatively undeveloped. The second zone was the south-western, including most of Gloucestershire and Worcestershire, with parts of Shropshire, Herefordshire, Wiltshire, Berkshire, and Somerset, supplied by the Severn, the Wye, the upper Thames, the three Avons, and the Frome. In this district were centres of the weaving, fruit, coal, and iron industries. Most fully developed was the south-eastern area, where the Thames and a network of small streams provided quick transport for a district of intensive cultivation and active industries, such as ship-building, tanning, brewing, dyeing, bleaching, calico printing, brick and glass making. Here was concentrated most of the industrial wealth of England.¹

There were numerous schemes for the better utilization of water transport. A patent for making navigable 'all or any rivers' was granted for six years to one Arnold Spencer, but nothing appears to have come of it.² In 1670 it was proposed to link up the rivers so as to make communication possible between London and Bristol³ and between Lynn and Yarmouth. More successful were the schemes of Andrew Yarranton, whose concern in the Worcestershire iron works prompted him to devise means for improving rivers and making canals. He began with the stretch of the Stour between Kidderminster and Stourbridge, and in his capacity of consulting engineer he surveyed the Wiltshire Avon, the Thames, Humber, and Severn, suggesting and

¹ For a good study of this subject see W. T. Jackman, *Development of transportation in modern England*, i, ch. 3.

² *Rawl. MS. A. 477*, f. 1.

³ F. Mathew, *A mediterranean passage by water from London to Bristol*. Mathew proposed that the water-mills should be replaced by wind-mills.

effecting several improvements. Lack of money, opposition by mill-owners, and the absence of concerted action prevented progress in these designs; but at least attention was directed to the possibilities of river transport, and in practice the rivers were then of much greater economic importance than they are to-day.

If, in place of the river, we adopt the more artificial boundary-line of the county, it is possible to indicate several types of agricultural and industrial area. This division into agricultural and industrial is, however, by no means rigid; nor were the workers comprised in these categories so clearly differentiated as they are now; for in the seventeenth century the husbandman might help to make his own cloth; the miner often had a small holding; the families of both classes usually engaged in part-time occupations such as spinning; and moreover, in the period prior to the Industrial Revolution, the word 'industrial' can be used only in a special sense, since the cottage, not the factory, was the unit. But nevertheless it is possible to enumerate some of the districts where one or the other form of activity had the greatest economic importance.

In the first class (that of the agricultural, including the pastoral, districts) was Wales, a country where an older economy was fast yielding to the penetration of English legislation and administration. Thus, the old heritable tenures were being displaced by year-to-year tenancies; primogeniture was taking the place of gavelkind; and by 1660 the Principality had become an area of small, detached farms, mainly of the peasant and family type, interspersed with the mansions of an unpretentious squirearchy.¹ Few of the landlords were said to be worth £1,000 a year; consequently, they could not hope to emulate the political and social influence exercised by their English compeers; but within the bounds of their estates they were supreme, and, together with the conforming clergy, they dominated a loyalist and Anglican Wales; for the great days of Welsh nonconformity were not yet. Wales was best known to English neighbours for wool and butter; there was increasing export of coal from South Wales, and there were local slate industries. Otherwise the Principality remained almost unknown to the Saxon, until its beauties were revealed in the landscapes of David Cox and the prose of George Borrow.

¹ J. Rhys and D. Brynmor-Jones, *The Welsh People*, 429-33.

Of distinctively agricultural counties, Bedfordshire, Leicestershire, Northamptonshire, and Herefordshire may be cited as examples. The first county was for the most part given over to arable, and was noted for the good quality of its wheat and barley; Leicestershire, abounding in clay and loam, produced some of the best wool, and most of the county was enclosed by the end of the century, when Celia Fiennes described its appearance thus: 'you see a great way upon their hills and bottoms full of enclosures, woods and different sorts of manureing and herbage, among which are placed many little towns which give great pleasure to the traveller to view.'¹ Northamptonshire, as befitted a county where good soil predominated, was a district of tillage and grazing; it was said to contain less waste ground than any other county in England;² and here, as in Warwickshire and Oxfordshire, it was thought that flax might be grown in order to provide an industry.³ Herefordshire ranked as one of the most fertile and best-cultivated of English counties, producing abundant fruit, corn, and hops, and rearing great herds of cattle. It might be compared with Kent, where the wages and standards of husbandry were at their highest: a county already abounding in well-kept parks and estates.

Of counties not so completely dependent on agriculture, Gloucestershire and Essex are examples. Gloucestershire was richly endowed, because in addition to the coal and iron of the Forest of Dean, and the textiles and bleaching of the Stroud Valley, there were arable lands and orchards, and some of the best grazing in the country was to be had on the Cotswolds. There was also a tobacco-growing industry (in so far as the legislation could be evaded) at Winchcombe, and mustard was grown locally. More obviously, the county of Essex illustrated the conditions which then favoured prosperity. It was highly enclosed; its roads were comparatively good, and its water-ways numerous; it had benefited by early settlements of Dutch and Huguenots, and its strong Lollard and Independent traditions were blended with industry and thrift. Cheese and corn were shipped from Maldon; and at Saffron Walden was obtained the saffron still

¹ C. Fiennes, *Through England on a side-saddle*, 133.

² Blome, *Britannia* (1673). Northants.

³ Yarranton, *England's Improvement by Sea and Land* (1677).

in demand as a perfume, a dye, and a drug. At Harwich there was ship-building; Colchester was the head-quarters of the New Draperies;¹ the villages were enterprising communities, engrossed in the activities of the field and the loom. The county was noted also for calves, oysters, agues, and sedition, these last attributed to its marshes and its proximity to Holland.²

In a similar class were those counties where husbandry was supplemented by local industries, some prosperous, some in decay. Thus, in the Wealden district of Surrey glass and iron were moulded, and at Croydon a community of charcoal burners made 'coal' for London. Wandsworth on the Wandle was then engaged in bleaching and calico printing. Of Surrey's natural products one of the most valued was fuller's earth, found at Nutfield, an absorbent clay used for removing oil and grease from woollen cloth. At Guildford there was a cloth industry.³ Where the heavy clay preponderated Sussex was thickly wooded, and the county preserved an iron industry, about twenty furnaces being at work in 1660; but imports of Swedish ore led to a falling-off in the demand for the native iron-stone, and increasing shortage of timber made it difficult to provide for the working of the native ore.⁴ Nevertheless, Sussex was industrially of greater relative importance than now. Cloth was made at Chichester; there was ship-building at Shoreham and Arundel; elsewhere were tanneries, brick works, rope lofts, pottery kilns and (at Battle) gunpowder mills. Another county which combined agriculture with extensive industry was Buckinghamshire, noted for its beech woods, which supplied the material not only of chairs and furniture, but of wooden implements such as mallets and the pins or nails used in the building of ships and houses. These last were gradually being displaced by the nails and hammers made from the softer type of iron known as 'blend metal', such as was worked in the district round Walsall (Staffordshire), where the hardening process was effected in fires made from wood and old shoes.⁵ In

¹ *Infra*, 45.

² *Bagford Ballads* (ed. J. B. Ebsworth), ii. 752.

³ *V.C.H., Surrey*, ii *passim*.

⁴ *Ibid.*, *Sussex*, ii. 199 sqq., and J. L. Parsons, *The Sussex Ironworks in Sussex Archaeological Collections*, xxxii.

⁵ J. Houghton, *Collection for the improvement of husbandry and trade* (1727 ed.), ii. 319-29. This important source was commenced in 1681-2 as a series of

Staffordshire there was also a pottery industry; otherwise the county consisted of little but heath and moor, on which sheep grazed in company with rabbits. There was a more even distribution of activity between town and country in Nottinghamshire, which was known for the diversity of its products, as it supplied leather, flax, and coal; and its industries included weaving, hosiery, tanning, shoe-making, silk-weaving, and the making of candle-wicks.¹

Examples of counties well endowed in neither agriculture nor industry are Berkshire, Shropshire, Oxfordshire, and Cambridgeshire. Berkshire was well cultivated in parts, notably on strips bordering the Thames and Kennet; elsewhere, however, downland and heath predominated; but the county's two towns were of some importance, Reading for brewing and tanning, Newbury for hosiery and hat-making. Shropshire yielded barley, wool, and grass, with a limited quantity of coal; comparatively it was a poor county, because many parts were uncultivable. In Oxfordshire there were many open fields where the cultivation was seldom above subsistence level; but the local deposits of iron-ore gave some employment, and there were several small industries, such as glove-making at Woodstock and brewing at Henley, where the household fire of wood served as a kiln for drying hops. Cambridgeshire was then poor and undeveloped, and in parts was still unreclaimed fen; here is a glimpse of the Cambridge-Suffolk border as described by a contemporary:

The level from Mildenhall to Ely being nothing but turf or peat, and by its insufferable heat and dryth having exhausted all the moisture out of the ditches, it was so suffocating hot by means of the brimstone or sulphury vapours that we could hardly breathe or endure it, so that I verily think it was possible to set the country on fire, the earth was so dry. As we rode along we saw here and there some poor cottages and wretched farms where some poor souls at a wretched rate do weather out a winter to look after the cattle that feed there. But doubtless there is incomparable fowling to make those amends that will undertake that pleasant toil, for the Red Shanks and other birds were very tame. In this passage between the ale-house and Ely

letters on trade and agriculture. See G. Davies, *Bibliography of British History, Stuart Period*, no. 1870.

¹ *V.C.H., Nottingham*, ii. 296.

we saw many Jacks sunning in the ditches between the highway and the enclosures.¹

The counties of East Anglia had enough in common to justify inclusion in one group. Lincolnshire at this time was passing through a period of depression consequent on the decline of the wool trade from its pre-eminence of the sixteenth century, when the city of Lincoln had ranked fourth in the kingdom.² But as the reclaiming of fen-land³ proceeded, the agriculture of the county improved, so that the rent of arable increased from 3s. per acre to 6s. 6d.⁴ Boston was one of the busiest ports on the east coast, and then as now its graceful tower was a landmark for seaman and landsman alike. Norfolk was the home of the worsted industry, and its coast still retained some of its maritime importance; Yarmouth was the metropolis of herring-fishing and curing; moreover the city of Norwich was one of the great weaving towns of England. In East Anglia, however, the old cloth industry was being displaced by what were termed the New Draperies,⁵ fabrics supposed to be more flimsy than the broadcloth and kerseys woven from short, carded wool. These more modern textiles were woven in Essex, and also in the small towns and villages of Suffolk, which still ranked as a rich county; for, in addition to grazing and weaving, its industries included ship-building (at Ipswich) and the working of flints at Brandon. On the coast there was fishing, and in 1670 the county of Suffolk had a fleet of thirty-three fishing vessels.⁶ Thus the counties of East Anglia still ranked as industrial areas; but the same degree of prosperity was not to be found throughout, and variation was influenced by the demand for wool, and by changes in sartorial taste.

Like the south-east of England, the south-west was an area of industrial activity. Somerset was one of the greatest of the cloth-making districts,⁷ and few cottages in Frome, Ilminster, Taunton, or Bridgwater were without their looms. The county, some portions of it still undrained, was one of manufacturing towns and

¹ Baskerville, *Journey* (1681) in *H.M.C. Rep., Portland MSS.* ii. 263-314.

² *V.C.H., Lincoln*, ii. 322-8.

³ *Infra*, 55-6.

⁴ *V.C.H., Lincoln*, ii. 334.

⁵ Bayes were woven like serge; there is a specimen in the Colchester Museum. Sayes were used for bed-hangings and tapestry. *V.C.H., Essex*, ii. 386. See also G. Unwin, *Studies in Economic History*, 277-91.

⁶ *V.C.H., Suffolk*, ii. 296.

⁷ *V.C.H., Somerset*, ii. 313 sqq.

villages where the long and coarse wool of Somerset and Devon was made into serge and carried in bales by pack-horses, proceeding in single file by the 'pack and pen' ways. Wool cards were made at Frome, and woad for dyeing was grown locally. Minehead was a busy port, with Irish and Welsh sailings; Bath was developing as a health resort. At Taunton, which was full of conventicles in the later years of Charles, the anniversary of the town's relief from the royalist siege (May 11, 1645) was said to be more generally observed than Christmas Day.¹ In Devon, tin and lead mines were being worked, but the chief industry was the making of kerseys and serges in villages and towns. Bone lace was made in the vicinity of Honiton; in the valleys, and especially within a strip bordered by the sea and Dartmoor, there was arable farming on the red Devonshire soil. Tin mining² was the chief occupation in Cornwall; there was pilchard fishing on the coast, and garlic, the 'countryman's treacle', was grown and eaten. Though Cornishmen still thought of the Tamar as the boundary with England, they all talked English; and in 1661 it was said that only one man in the county could write Cornish.³

Thirdly and finally, there is the group of counties in the north of England comprising Cumberland, Westmorland, Northumberland, Durham, Yorkshire, and Lancashire. The first two were dependent mainly on sheep and salmon, but there was some coal-mining at Whitehaven; Carlisle still ranked as a port, and Kendal was the active centre of a cloth industry. Hadrian's Wall, covered with rowans and heath, provided medicinal herbs, and in some places served as a causeway, and also as a quarry for the builder.⁴ Northumberland had a population of fishermen, shepherds, and small farmers; Berwick was noted for its salmon-curing, and in Newcastle the north of England had a community renowned for its shipping, salt, and grindstones. Durham was a hive of industry. From the sea could be seen the long line of coal fires at South Shields for the evaporation of brine in salt pans; iron was being worked in the blast furnaces leased from the bishop; at Ravens-

¹ *Cal. S.P. Dom.*, 1682, 208.

² For this see *infra*, 78-9.

³ John Ray, *Itinerary* (1661) in his *Memorials*, ed. E. Lankester (ed. 1846), 190. For a valuable study of social and economic conditions in Cornwall see Miss M. Coate, *Cornwall in the Great Civil War and Interregnum* (1933).

⁴ *Rare observations of Cumberland and Westmorland in Newcastle Tracts*, vii. 13.

worth and Seaton Delaval were primitive railways of wood whereon coal was conveyed in wagons drawn by horses.¹ In its variety of product and activity Yorkshire was more like a small state than a county. Of the towns, Leeds was considered rich and populous, full of clothiers, proud of the church lately built for them by one of the Harrisons; Sheffield and Hallamshire were brightly illuminated by the forges of the cutlery makers; Wakefield, Halifax, and Bradford were clothing towns, suffering to some extent from the decay of their staple manufacture, a decay attributed by many to the Civil Wars which had fallen heavily on Yorkshire. Rural Yorkshire abounded in pastures and moorland; and there was the vale of Cleveland, noted for its horses, its fruitfulness, and its sticky soil:

Cleveland in the clay,
Bring in two soles, carry one away.²

In spite of its decline from former prosperity, Yorkshire would have seemed a rich county in comparison with Lancashire, which was, on the whole, poor and unfertile, producing a moderate amount of corn, grass, and flax. But its mineral wealth was not unknown, because the coal seams were found to be at least three yards deep,³ and Wigan was renowned for its coal, pewter, and brazier work. Manchester, a small town with an ancient collegiate church, was making friezes and fustians with the help of an inferior cotton wool imported from Smyrna and Cyprus; Bolton, Rochdale, and Leigh were engaged in similar manufactures. Liverpool, important for its Irish trade, was steadily overtaking Chester, and in the later seventeenth century harboured shipping amounting to a total of 3,000 tons.⁴

Such were the leading economic characteristics of the most important English counties. Economically, the unit of the county is far from satisfactory, and has here been used only for convenience of classification; but in spite of its semi-artificial dividing lines, the county or 'country' as it was called was coming to be accepted as a distinctive unit. This is shown by the holding of county dinners in London.⁵ But of life in the provinces there is a singular lack of

¹ *V.C.H., Durham*, ii. 238-426; *The Lives of the Norths* (Bohn ed.), i. 177 sqq.

² Ray, *Itinerary* (1661) in op. cit., and *V.C.H., Yorkshire*, ii *passim*.

³ *Grey*, i. 232.

⁴ *V.C.H., Lancaster*, ii. 300 sqq.

⁵ e.g. a dinner for Oxfordshire men was held at Grocers' Hall on Nov. 20,

information; for country correspondents, while they are generally full of gossip about strange events, almost always avoid those normal, everyday matters on which posterity seeks information. The memoirs of the period relate mainly to the Court; the travellers were continually resorting to sepulchral monuments and 'gentlemen's seats'; and the evangelists were too much engrossed in sin and humanity to concern themselves much with material surroundings. Pepys saw the country with the eye of a townsman; as guide-book, Evelyn's *Diary* is not always distinguished for illumination; and so the modern reader is obliged to depend mainly on North¹ and Reresby.² There is therefore an absence of original material on which generalizations might be based. It may be affirmed, however, that throughout the country there were clear-cut differences of dialect and custom, and that local communities of workers, especially fishermen, weavers, and miners, were bound by a certain solidarity of sentiment and language. A Derbyshire lead-miner would have found it difficult to make himself understood outside the Peak district; still more, a northern dalesman would have been incomprehensible in Cornwall. It is in such provincial dialects that obsolete Old English words may still be traced; in the seventeenth century the number of such words in current use must have been large, a fact which may have restricted personal communication between Londoner and countryman.

This paucity of information about provincial England makes it impossible to determine with certainty even the relative size of the towns. None of these was even a good second to London; for the largest, Bristol, with about 30,000 inhabitants, had less than a tenth part of the population of the capital. Nevertheless, Bristol was both prosperous and progressive,³ partly due to increased imports of sugar and tobacco; its merchants, many of them Noncon-

1662, 'for the continuance of our mutual society and acquaintance'. It was preceded by a sermon (at 9 a.m.) at St. Michael's, Cornhill. A ticket of admission (price 2s. 6d.) will be found in *Bodley, Wood*, 276 b, no. 119.

¹ *The Lives of the Norths* (Bohn ed., 3 vols.). The first volume, containing the life of lord Guilford, is of great value for the study of provincial England.

² In the complete text of the *Memoirs* of sir John Reresby, which has been edited by Professor A. Browning, much information will be found about Yorkshire and social conditions there.

³ For a good account see J. Latimer, *Annals of Bristol in the seventeenth century*.

formists after 1664, maintained an estate which aroused the envy of neighbouring squires, and so keen was appreciation of the public prestige of wealth that it was not uncommon for the third part of a Bristol merchant's estate to be spent on his funeral. Early in the eighteenth century the third largest town in the kingdom was said to be Liverpool;¹ but meanwhile this honour may have been due to the city of York. In the northern capital the minster had been preserved unharmed during the Civil Wars; grouped closely round the cathedral were narrow streets, the tall houses so close at the top that sociability and even intimacy were forced on the inhabitants, who rejoiced that their famous city, with its lord mayor, twelve aldermen, and twenty-four assistants was, historically at least, the second in the kingdom. In its social activities York was excelled only by London, and in 1665 it was visited by the duke of York. Almost equally populous was Newcastle, the houses of which were reported to be comparable in height and show with those of London.² Its long quay, a bridge of nine arches, and the newly-built Exchange were the wonder of travellers, who found its inhabitants a specially vigorous race of town-dwellers; for they were said to settle their disputes not by going to law, but by 'banging it out bravely' among themselves. They were many of them speculators in coal and retailers of jokes against the Scots, boasters that their products were ubiquitous—'a Scot, a rat, and a Newcastle grindstone you will find all the world over.'³ Norwich was another industrial city, but of a very different type, because it had thirty-seven old churches; its streets still retained some of their medieval squalor, and its weavers were said to be as proficient in the pulpit as at the loom. There was a vigorous and distinctive life in these towns, but it did not assume a literary form.

The towns may have been distinguished not so much according to their size, but according as they were close or open. In the former category were most of the incorporated boroughs, where trade and industry might be controlled by guilds or a mercantile oligarchy, to the exclusion of all but freemen; the open town, on

¹ This is said to have been brought about by the development of the plantation trade and the influx of London merchants after the Plague and Fire. *Kenyon MS.* 430, quoted in A. P. Wadsworth and J. de L. Mann, *The cotton trade and industrial Lancashire, 1600-1780* (1931), 71.

² Ray, *Itinerary* (1661), in op. cit. 150.

³ *Harleian Miscellany*, xi. 463.

the other hand, was generally the product of more recent economic development, unimpeded by the hampering restrictions which had survived from the medieval past. This contrast was specially noticeable in Lancashire; for while such corporate towns as Liverpool, Wigan, Lancaster, and Preston jealously insisted on their exclusive privileges and kept out all 'foreigners', the towns of Manchester, Bury, and Blackburn imposed little more than market regulations, and so were attracting fresh population and industry.¹ The same difference may be seen by comparing Coventry with Birmingham. The first, though much decayed from its medieval greatness, was still a centre of civic activity; the second, on the contrary, was a mean place, given over to nail-makers, endowed with no past and only one church. It was reached by turning off the main road at Coleshill, and was so 'open' that a claim to its citizenship had been advanced by Charles Stuart, who, at one stage in the flight from Worcester, tried to pass himself off as 'the son of a Bremicham naylor'.² But the new-comer had already begun its vigorous career; and before the end of the century it was reported³ to be 'full of inhabitants, resounding always with hammers and anvils', by which time its solitary church was no longer sufficient for the population.⁴

As the towns changed in relative importance, so did the ports. From various causes, including the application of the Navigation Acts, a process began whereby the ports on the west gradually developed at the expense of those on the east, thereby relieving the congestion in the Thames, and diminishing the pre-eminence of Boston and King's Lynn. Newcastle and Hull were able to survive this change, the former because of its coal; the latter because it was a great garrison town, its harbour was not silted up, and it had a staple industry—the curing of Iceland stock-fish, a food-stuff greatly prized on account of its durability. Some conclusions regarding the status of English ports may be deduced from the details of the salaries and establishment charges incurred for their Customs administration. Thus, in 1680 the total cost for the port of London was £20,000 per annum; next came

¹ For this see A. P. Wadsworth and J. de L. Mann, *op. cit.* 55–60.

² J. Dauncey, *History of his sacred majesty Charles II* (1660), 121.

³ S. Dunstar, *Anglia Rediviva* (1699), 77.

⁴ *H.M.C. Rep., Portland MSS.* iii. 135.

Bristol, with an expenditure of £2,000; then Newcastle, Plymouth, and Hull, each approximately £900; Southampton, £500; Ipswich, £450; Liverpool and Dover, £320, and Chester, £280. At the other end of the scale were Padstow, £30; Truro, £44; Rochester, Faversham, and Fowey, each £120. Intermediate between these extremes were Sunderland, Lyme Regis, Swansea, Falmouth, Rye, Bideford, and Carlisle. If the cost of such establishment charges bears any relationship to the amount of tonnage handled, then these figures¹ may be taken to indicate approximately the comparative position of the ports in this period; with the reservation however that the figure for London includes salaries of commissioners and expenses of management not incurred by the other ports.

A survey of Restoration England, however imperfect, suggests two general conclusions: the disparity between north and south, and the contrast between town and country. The first of these can be illustrated in various ways. Thus, if a line be drawn from Gloucester to Boston dividing England (without Wales) into two very nearly equal areas, it will be found that in the assessments on which the property taxes were based² the wealth of the northern section (as here defined) compared with the southern was reckoned in the proportion of 5 to 14; and in the amounts for which the Excise³ was farmed the disparity was sometimes greater, being estimated in 1665 at about 1 to 4. These figures suggest that in the seventeenth century the population south of this line may have been about thrice as great as that north of it; whereas to-day the majority of Englishmen live to the north of this imaginary boundary, though there are signs that the difference is being lessened by recent industrial developments in the south and midlands. The north was undeveloped and under-populated in comparison with the south.

Even more, this artificial line represented a social barrier. South of it were the metropolis, the Court, the more important industrial areas, the majority of the large ports, the homes of the more noteworthy among the peerage, the most frequented

¹ Customs Establishment Papers, *P.R.O.*, bundle xviii.

² Those for 1661 and 1679 have been taken for this purpose. The figures are in *Statutes of the Realm*, v. 326-7 and 897-9.

³ From the figures in *H.M.C. Rep.*, x, app. vi. 178.

race-courses, and the two universities. In politics, the gentry of the north were not so influential as those of the south, possibly because they included a larger number of Roman Catholics; important exceptions, however, were Danby, whose career was helped by the influence of the duke of Buckingham in Yorkshire, and Halifax, another Yorkshireman, whose eminence may be attributed to remarkable gifts of mind and character. This barrier of north and south had been broken down by the Civil Wars, as earlier by the Wars of the Roses; but with the Restoration, the north retired into a social obscurity from which it did not emerge for more than a century, when it contributed to politics an entirely different type of personnel—the iron-master and the cotton magnate. Few Englishmen of the south ever paid a voluntary visit to the north; Pepys went no farther afield than Huntingdon, and Evelyn's northern limit was York. Francis North (lord Guilford), when on circuit, found in the border country a more primitive and speedy justice than that of the south; for when he thought inconclusive the evidence against a Scot accused of cattle stealing, he was advised by a border commissioner to speed on the business: 'Send him to Huzz, my laird, and ye'll see him nae mair.'¹ Northern England was for long denied even a sight of her kings. Charles Stuart did not travel again; his brother as king went to Shrewsbury and Chester only for electioneering and Irish affairs; William III and a succession of Irish lords-lieutenant crossed the line in order to reach Holyhead or Milford Haven on the way to Ireland; the Georges ignored that part of their dominions, though George IV visited Scotland (by sea), as well as Ireland and Hanover. Not till 1851, the year of the great Exhibition, was the north of England officially recognized by royalty; for in that year queen Victoria (on her way to Balmoral) visited Liverpool, Salford, and Manchester. A statue in Peel Park, Salford, commemorates this discovery of the north.

Another contrast was that between town and country. Our towns which can boast a Roman origin had to be made twice, for they completely lost what ancient civilization they had possessed; and when they came to the surface again in the early Middle Ages they were intruders into an agricultural world. The provincial towns have never quite made up for this handicap.

¹ *The Lives of the Norths* (Bohn ed.), i. 179.

Because of temperate climate and the attractiveness of the English country-side the nobility and even the bishops were not usually town-dwellers, and many of them still retain their headquarters in remote places. London was exceptional because of its social life and the increasing importance of the financial interests in the city; but nevertheless the increasing size of the city and its suburbs was a source of disquiet to the government, and the earlier Stuarts had striven by means of proclamation to prevent the nobility from spending more than a modest part of the year in the capital.¹ The new buildings about London were the objects of animadversion and special taxation;² for it was held that they were drawing population and money from the country; moreover, as churches could not be built quickly enough for the new-comers, these men remained churchless, as they were already lordless; they were therefore dangerous. Nor did the inhabitants of the towns fit into the categories recognized in the country, these categories being: (1) the freeholder, having land as security for his conduct, (2) the copyholder, amenable to manorial jurisdiction, (3) the labourer, controlled by the employer with the help of the justices, (4) the itinerant beggar, licensed by a justice, and (5) the vagabond, driven from parish to parish by relays of village constables. So too the London pillory was no substitute for the village stocks, because while the former provided exemplary punishment for the notorious, the latter, within sight of one's door-step, was both a deterrent to wrong-doers and a salutary reminder to the well-behaved.

This antithesis came to be specially emphasized in the later seventeenth century. The distinction was partly religious, because nonconformity had its strongholds in the towns,³ partly political, for the small tradesmen and craftsmen of London and the East-Anglian weaving towns had been the backbone of the Puritan revolution. It was economic, because towns, it was thought, attracted money, leaving a scarcity elsewhere; 'all tradesmen', said a member of the House of Commons, 'seem to

¹ e.g. that of 1615 (*Steele*, i. 1177) required that noblemen should live in their chief mansions for nine months in the year in order to exercise hospitality.

² *Infra*, ii. 437-8.

³ Though nonconformity was rural as well as urban in Essex.

be turning bankers,'¹ and these were 'the commonwealth's men who destroy the nobility and gentry'. 'As interest goes up, land goes down like a pair of scales';² 'the farmer starves when things are cheap, the poor when things are dear';³ such were some of the parliamentary utterances which voiced a widely held economic theory based on these two axioms: namely, rents are always falling; secondly, this fall is due to anything which threatens to disturb the balance between town and country, whether it be the importation of Irish cattle, or the erection of new buildings about London, or the Dutch Wars, or the development of manufactures in towns, or the increase in the number of stage coaches: or, more generally, the increase of debauchery. These axioms were scarcely even debated; moreover land had a national and uncontested sanctity so long as most of the property taxes were levied thereon. The contrast was also social; for the county gentry did not live in towns, and frequented London only for a season. Townsmen, it is true, had their civic titles and regalia; but these, it was held, were merely plebeian imitations of the privileges of their betters; and before the end of the reign burgesses were drastically reminded how precarious were their franchises.⁴

But, it may well be asked, how does this comport with the increasing power of the House of Commons wherein the boroughs were so strongly represented? Surely trade and money were determining factors in society and politics? Even here, however, the townsman was the inferior; for in the Commons, not only was there the territorial core of the knights of the shire; but, by the later part of the seventeenth century, an increasing number of boroughs were conferring their seats not on burgesses (in the strict sense of the term), but on sons of peers, or neighbouring gentry, or outsiders who had acquired an estate and were anxious to enjoy the public status and influence now conferred by membership of the House. This fact is reflected in the parliamentary debates, which show that the Commons were more concerned with popery and dissent than with maritime development, more interested in game laws than in manufactures, in rents than in trade; only thus indeed could they have achieved their unique

¹ Nov. 3, 1670, *Grey*, i. 274.

² Col. Birch in the Commons, Nov. 1670 in *Grey*, i. 273.

³ Remark by the same speaker; *Grey*, i. 95-6. ⁴ *Infra*, ii. 517-19; 694-6.

part in the constitution; for a House composed of true burgesses could not have held its own with a landed House of Lords. It is true also that the temporary importance assumed by the cobblers and weavers during the usurpation served later to confirm this hegemony of the landlord, just as the influence afterwards acquired by merchant and capitalist have helped to obscure it.

Finally, while the provincial townsman had neither the social nor the political power of the landlord, the ranks of the latter were constantly being filled up from the former, because the eligibility of the country-side attracted generations of wealthy townsmen who, endowed with landed property and a title, quickly forsook the habitudes of desk and counter for the responsibilities of agriculture and the amenities of sport. In this respect a contrast is provided by France, where the richer nobility thronged Versailles, while their poorer brethren of the country shared their penury with the peasants. In England the power of money was exercised at first not directly, but 'through the medium of land.

2. DEVELOPMENT OF THE COUNTRY-SIDE

There are many indications supporting this view that in the reign of Charles II the English country-side was offering increased opportunities for both pleasure and profit. For example, there was the reclaiming of marsh land. This was conducted mainly in the levels of the Fen country—an area of about 300,000 acres, in shape not unlike a horseshoe, penetrating from the Wash to parts of the counties of Norfolk, Suffolk, Cambridge, Huntingdon, Northampton, and Lincoln. Many attempts had been made to reclaim these wastes, which were liable to inundation not only from the sea, but from the rivers Ouse, Nene, and Welland; for which reclamation, commissions of sewers had frequently been granted to neighbouring corporations and landlords. But these detached enterprises were mostly foredoomed to failure, since only by concerted action in such a vast undertaking could success be achieved. Already, however, a start had been made. Charles I had granted to the earl of Bedford and other adventurers a patent for the draining of 95,000 acres, and the services of the Dutch engineer Vermuyden had been enlisted; but the Civil Wars delayed progress; until, at the Restoration, the work was

resumed, and in 1663 its furtherance was entrusted¹ to a corporation consisting of governor, conservators, and bailiffs, authorized to act as commissioners of sewers, and to make local levies for the furtherance of their enterprise. The rate of progress was steadily increased; in Lincolnshire alone about 25,000 acres were added to the available arable, thus enabling the county to make up in agriculture for some of the prosperity which had departed with the wool trade. The rivers were deepened and straightened, and their banks assumed the artificiality which they still retain.

Opposition to the fen draining in East Anglia came from several sources, including the port of King's Lynn, which claimed that its navigation was impeded because of the alleged silting up of the channel from Denver Dam to the sea. More strenuous hostility was shown by an indigenous race of fen-dwellers, the Slodgers, who in spite of chronic agues contrived in their huts of wattle to maintain a semi-aquatic existence by snaring, fishing, and reed-cutting. These men were lawless in their attempts to preserve a separate dominion of weed and mud, destroying the works of the drainers, flooding the land, and thereby drowning people in their beds. But the draining proceeded nevertheless, and one more distinctive community was removed from English life. In 1670 Evelyn visited the district, to see the engines and mills (worked by wind and water) draining away the mud in rivers or graffs cut by hand; and there he noted the fertility of the reclaimed land; for weeds grew as high as a man on horseback.² Not potatoes, but hemp and cole seed were the crops grown on this fertile soil; and like the water-ways the drained marshes had their poet.³

¹ 15 Car. II, cap. xvii.

² Evelyn, *Diary*, July 22, 1670.

³ I sing Floods muzzled and the Ocean tam'd,
Luxurious rivers governed and reclaimed,
Water with banks confined as in a gaol
Till kinder sluices let them go on bail.
Streames curb'd with bridles, taught t'obey
And run as straight as if they saw their way.
When, with a change of elements suddenly
There shall a change of men and manners be;
Hearts thick and tough as hides shall feel remorse,
And souls of sedge shall understand discourse,
New hands shall learn to work, forget to steal,
New leers shall go to church, new knees to kneel.

Draining was one of the 'improvements'; so too was enclosing. There was no acute enclosure problem as in the sixteenth century, when many landlords had suddenly found it more profitable to grow wool than corn; by 1660 the lower price of wool, due to over-production and deterioration, had helped to restore the balance between pasture and arable, and so the enclosures of the later seventeenth century were dictated mainly by the demand for a more adequate utilization of natural resources than that provided by the old open-field system with its cumbersome distribution of small strips. The counties wholly or partially enclosed by 1660 included Essex, Kent, Hereford, Middlesex, Somerset, and Durham; in some midland counties, notably Leicester, enclosures were proceeding and causing complaint, while in Northamptonshire, Oxfordshire, Cambridgeshire, Lincolnshire, and Bedfordshire there was still a predominance of the open-field system.¹ Proximity to London or to centres of such industries as weaving, coal mining, and dairy farming account in part for this distribution of the more intensive system of cultivation: in part also, enclosing was adopted by a number of improving landlords equipped with capital. Reclaimed land was almost invariably enclosed.

Against the enclosing of arable for pasture opinion was

Footnote ³, p. 56 (*continued*):

Poor curate, whom thine envious stars prefer
To be some hide-bound parson's pensioner,
On such hard terms, that if the flock were fed
As ill as thou, their souls might starve for bread;
When these fair fields are ploughed, then cast with me
How large, how fat the livings here must be.
Ye busie gentlemen that plant the hop,
And dream vast gains from that deceitful crop,
Or by manuring what you ought to let
Thrive backwards and too dearly purchase wit,
Leave off these lotteries, and here take your lot,
The profit's certain, and with ease 'tis got.

J. Moore, *History of the great level of the Fens* (1685), 72.

¹ See E. C. K. Gonner, *Common Land and Enclosure* (1912). Prof. Gonner's estimates are to some extent derived from a study of the maps in Ogilby's *Britannia* (1675), where open fields by the road-side are indicated. These estimates are valuable, but are to a large extent necessarily conjectural. See also W. H. R. Curtler, *The enclosure and redistribution of our land*.

practically unanimous—it was held to cause unemployment and depopulation. But on the general question of champion, that is, open cultivation versus enclosed farming, whether for arable or for arable and pasture, opinion was almost equally unanimous, and was more emphatically expressed as enclosing proceeded, for the latter system was simply a more economic, if less traditional method; moreover, as it generally led ultimately to the employment of more labour than it had displaced, it was an ‘improvement’. Like so many improvements it caused dislocation when first applied; and evicted commoners, as in Leicestershire, went round the country vainly inquiring for ‘land to be set’.¹ Where the open fields remained there was the old independence and the semi-democratic regulation of agriculture by a community of sharers in the open strips; but there were the old abuses; for though the cultivator was his own master, yet he had to ‘toil and moil’ for a bare livelihood. There was often inequality also, since the man with abundant stock might take more than his share of pasture, and enterprising neighbours ploughed farther than they ought to have done, or removed landmarks. Cattle wandered over the crops, consuming more with their hooves than with their mouths, or they might easily be lost, or harried by dogs, and in hot summers the skinny survivors wilted on the shadeless flats. At best, it was a hard and merely self-sufficing existence; at worst, it was the avenue, through the ale-house, to vagabondage and beggary. Nevertheless, the open fields and their inhabitants still retained a certain sanctity for many Englishmen, and enclosures were condemned by agitators such as the Levellers, who classed them with the ‘Norman’ iniquities of tithes and French law. Such a place-name as Hinton-in-the-Hedges² still serves to commemorate this intrusion of hedged ownership into the patchwork pattern of the old system.

‘It ascertains every man’s just proportion of land’;³ such was the most obvious justification of enclosure. The hedges delimiting that proportion were in themselves an advantage; for they provided shade to cattle in summer, and some protection against

¹ John Moore (minister of Knaptoft, Leicestershire). *The Crying Sin of England . . . wherein Inclosure is arraigned, convicted and condemned* (1653).

² Northants.

³ R. Blome, *The gentleman’s recreation* (1686), 208.

cold winds in winter; they might even be a source of timber, or fuel, or fruit. Ownership once established, private experiment would be a possible consequence, and it is only by experiment that agricultural progress can be made. Hence it was chiefly, though not solely, on the enclosed land that men tried their hand with the new French grasses, such as sainfoin, clover, and lucerne, as later they were to try the turnip; and so, by providing a winter food for cattle the agriculturists brought into existence the stock-breeder. For these enterprises both capital and initiative were needed, the two things lacking in the old self-contained village community. There were numerous facilities for enclosing; indeed in many manors the freeholders having lands lying in the common fields might enclose against those having rights of common there;¹ and Chancery sanctioned² several of these enclosures, generally insisting on the consent of all the freeholders concerned, and in some cases stipulating for the allocation of sufficient common to the commoners; moreover, a Bill was introduced into the Lords enabling all who desired to enclose to apply to the chancellor for the appointment of a commission of substantial neighbours to effect an equitable distribution between the lord, the tenants, and such as had rights of common.³ The Bill was dropped; but had it become law, it is possible that enclosures would have been much more numerous, and the intensive changes which began after 1760 might thus have been anticipated.

As well as draining and enclosing, there was also an increasing interest in the potentialities of the land, and many later innovations were foreshadowed in the books and pamphlets of the time. Earlier in the century the rotation of crops had been studied by such writers as Markham, who had suggested a ten or twelve years' sequence, with three or four years of grass.⁴ Some writers advocated fertilizers, one improvement being that of 'denshiring' or charring the surface soil and scattering the ash as a fertilizer; other devices suggested were flooding and irrigating. Another improvement was that of preparing the seed before sowing, either by soaking in a liquid, sometimes brine, or by

¹ *Modern Reports*, ii. 104.

² e.g. *English Reports*, xxi (Chancery), 501 and 912.

³ 1665-6, *H.M.C. Rep.* vii, app. 178-9, *MSS. of the House of Lords*.

⁴ Ashley, *The bread of our forefathers*, 32-3.

dusting it with lime,¹ a measure probably intended to secure greater fertility as well as immunity from birds and vermin. More important was the advocacy of new crops, such as lucerne, clover, turnips, and sainfoin, originally recommended by sir R. Weston after his travels in Flanders. Weston was perhaps the first Englishman to perceive the double value of the turnip as a cleaning crop and as a winter food for cattle; but in his lifetime it remained merely a root for domestic cultivation. Worlidge, one of the best of these semi-scientific writers, recommended French tares or vetches as a cattle food,² and saxifrage on pastures where cheese was made; he thought also that the buckwheat might profitably be grown. The potato was recommended by another writer³ who, aware of the popular dislike of it, prescribed numerous recipes for making bread, paste, puddings, and custard from this tuber, so that its taste might be disguised as much as possible.

These books and pamphlets are evidence of at least some public interest in agriculture. A more striking proof of this interest is provided by the investigations which the Royal Society commenced in 1664, when a 'Georgicall Committee' was appointed, which resolved to compose a general history of agriculture, and to make inquiries into its practice in contemporary England. The scope of this investigation⁴ was directed mainly to the kinds of soil, the manures employed, the types of plough in use, the distribution of different kinds of crops, and the yield per acre; on these and other points questions were compiled and sent to prominent agriculturists in different parts of England; and the replies show that at least in some districts husbandry was by no means the haphazard and hide-bound occupation sometimes supposed to have preceded the scientific culture of the eighteenth century. In particular, there is evidence that the new grasses such as clover and trefoil were being grown, though there is little yet about the turnip; for the ploughs, horses were being used as

¹ *A direction to the husbandman* in Bodley, Ashmole, 1672.

² *Systema Agriculturae* (1669); reprint in D. Macdonald, *Agricultural Writers, 1200-1800* (1908), 116.

³ J. Forster, *England's happiness increased* (1664).

⁴ For this see R. V. Lennard, *English agriculture under Charles II; the evidence of the Royal Society's enquiries*, in *Economic History Journal*, 1932.

much as oxen; manuring by dung and sea-sand was commonly resorted to, and was generally combined with liming or marling; while in districts such as Dorset, Kent, Gloucestershire, and the East Riding the folding of sheep was practised on the 'corn ground' of the hilly country. The paring and burning of ground are also alluded to in several reports; and in most of the replies, wheat, oats, barley, peas, beans, and rye are mentioned. Hemp and flax appear in the Devon and Cornwall returns; tares and vetches are specified for Kent and some of the southern counties. There appears to have been a general recognition of the advantage of using seed grown on another soil, and all the reports describe methods of soaking or otherwise preparing the seed before planting; in one county (Dorset) a sieve was used for separating good from bad seed. The usual rotation of two crops and a fallow seems to have been followed; but in some cases there is mention of a seven years' rotation. Finally, the returns show the importance attached to convertible husbandry and the breaking up of pasture; they show also that meadows were improved by the mowing of nettles and rushes. Only in root crops does there appear to have been little progress.

But, on the other hand, while there was this recognition in the most enlightened quarters of the scientific nature of agriculture, there was not yet in existence a landlord class with sufficient money and enterprise to put the new ideas into effect. Still more, 'improvements' were sometimes openly derided, and in the Commons a landlord declared that they were a mischief, because by increasing production they lowered prices, and consequently rents.¹ Nor was the tenant always favourable to improvements, since these might provide a pretext for increased rent; hence the Berkshire proverb: 'he that havocs may sit, he that improves must flit.'² So far, therefore, as the land was concerned, the later seventeenth century was a period of beginnings and suggestions rather than of achievement; but agriculturally, it was an increasingly prosperous age, mainly because of the steadily enhanced demand for corn,³ and this helped to create the capitalist landlord who was to be the mainspring of progress in the next century.

If England was behind some continental countries in root

¹ Speech of col. Titus, Feb. 8, 1673 in *Parl. Hist.* iv. 517.

² *V.C.H., Berks.* ii. 213.

³ See *infra*, 66.

crops, she was not behind in orchards. French influence after the Restoration may account for the greater vogue of the plum, the pear, the peach, the nectarine, and the melon; but this influence could not have modified the culture of the apple, in which England was supreme. Attention was directed to the Herefordshire orchards as early as 1657, when they were feelingly described by one who combined practical experience with aesthetic appreciation of the varied and seasonal beauties of an orchard country.¹ In Worcestershire cherries and pears were grown to greatest perfection. Of economic importance, because of the great consumption of cider, orchards and the propagation of fruit trees were a source of increasing delight to men of means and leisure, whose experiments helped to increase the attractiveness of English country life, and to provide a profitable as well as aesthetic diversion. So there grew up a literature of Pomona, and if a man failed to grow apples profitably, he might nevertheless write about their culture with acceptance and even applause. To literature also silviculture owes a debt, for its study was promoted by the publication of Evelyn's *Sylva*, and by the printed recommendations of such 'improvers' as Blith.

With the cultivation of the tree went that of the flower. Chaucer and Shakespeare showed a deep knowledge and appreciation of English flowers, both having been endowed with an eye for the minute detail of natural life; the philosopher Bacon had commended gardens, and his praise was to be confirmed by that of Temple. As we owed some new fruits to the French, so to the Dutch we were indebted for the introduction of the tulip, possibly also of the lily of the valley and the carnation;² the rose species was enriched by the coming of the Provence and the Jericho rose; but these new-comers did not lessen the popularity of such old favourites as the gilliflower (the wallflower), the violet, the red hyacinth, the madonna lily, the daffodil, and the fritillary. Most of the guides to husbandry contained instructions for gardening, and Parkinson's classic, *Paradisi in Sole*, was supplemented by new publications.³ As great houses of the nobility

¹ I. [John] B. [Beal], *Herefordshire Orchards a Pattern*, 3.

² *Present state of England*, pt. iii (1683), 253 sqq.

³ For the bibliography see the section General Agriculture, in G. Davies, *Bibliography of British History, Stuart Period*.

were built or rebuilt, special pride was taken in the decoration of open spaces with fountains, avenues, statues, canals, fishponds, orangeries, and orchards, all of which provided opportunities for the landscape gardener; and already the formal English garden was to be found at such great country houses as Euston, Ham, Althorp, Cassiobury, Swallowfield, and Clieveden,¹ where the decorative arts were employed with such effect that, in comparison, the older mansions of Hatfield, Nonsuch, Audley End, Knole, and Badminton seemed uncouth or antiquated. The same instinct which sought for new flowers and for their more effective display welcomed also the addition of new trees and shrubs. The mulberry had been introduced early in the century; from Virginia came the red cedar, the tulip tree, and the American plane; and other new-comers soon to be acclimatized were the Aleppo pine and the Lebanon cedar.² To the upper classes at least, the reign of Charles brought a keener and more educated appreciation of a well-ordered estate or a colourful garden; and his reign marks an important stage in that evolution whereby the English country-side became the most varied and attractive in the world.³

Such an improved estate would be self-sufficing, providing its owner and his guests with food and sport distinguished for quality and simplicity rather than for variety or extravagance, an object realized by the almost patriarchal existence of the duke of Beaufort at Badminton, as thus described by Roger North:⁴

He had above £2,000 per annum in his hands which he managed by stewards, bailiffs and servants: and of that, a great part of the country, which was his own lying round about him, was part, and the husbandmen were of his family, and provided for in his large, extended house. He bred all his horses, which came to the husbandry first colts, and from thence, as they were fit were taken into his equipage. . . . He had about two hundred persons in his family, all provided for: and in his

¹ These were respectively the country houses, either new or rebuilt, of Arlington, Lauderdale, Sunderland, Essex, Clarendon, and Buckingham. Much information about these and other English gardens will be found in Evelyn, *Diary*, *passim*. See also R. Blomfield, *The formal garden in England*.

² J. E. Gillespie, *Influence of over-seas expansion on England*, 97.

³ In the autumn of 1680 the French ambassador noted with some surprise that there were few people in London, as so many had gone into the country (*Baschet*, 146, Aug. 23/Sept. 2, 1680).

⁴ *The Lives of the Norths* (Bohn ed.), i. 171.

capital house, nine original tables, covered every day: and, for the accommodation of so many, a large hall was built, with a sort of alcove at one end for distinction: but yet the whole lay in the view of him that was chief. The women had their dining table also and were distributed in like manner. The method of governing this great family was admirable and easy, and such as might have been a pattern. . . . No fault of order was passed by. Soap and candle were made in the house: so likewise the malt was ground there: and all the drink that came to the duke's table was of malt sun-dried on the leads of the house. . . .

Beaufort was carrying out on an exceptional scale what many landed Englishmen were doing or attempting to do. Of these the dramatist Shadwell wrote:¹

Give me the good man that lives in his own grounds,
And within his own bounds,
Has room for his hawks and his hounds,
Can feast his own tenants with fowls and with fishes
And from his own store with good store of dishes,
And not with damned wine, but with good English ale,
O'er their faithful hearts can prevail,
And nothing to others does owe
But from his own house hears his own oxen low.

These things would have been impossible of attainment in a country of small holders; nor would white bread have become so common in English dietary if a stream of capital had not been continually poured into the land.² Much of that capital came not from crops, but from trade and the profits of office; and many of the great landed families began not as agriculturists, but as graziers, tradesmen, contractors, merchants, state officials, and tax-farmers. Primogeniture helped to keep the large estate intact; another device which helped to secure, as far as possible, the perpetual association of the family name with broad acres was the 'strict settlement', devised by lord keeper sir Orlando Bridgeman (1606-74), whereby it was made possible for the heir, generally at his marriage, to settle the estates for one more generation. In this way the ownership of land lost much of that insecurity which had detracted from its social value in Tudor times and in the

¹ Shadwell, *Epsom Wells*.

² For an interesting discussion of this see W. J. Ashley, *The bread of our forefathers*.

Civil Wars; accordingly, in Restoration England many things combined to make land a specially desirable object of property.

Such, in brief outline, was the land. It is now necessary to turn to some of its products, and to its main industries.

3. THE CHIEF ECONOMIC COMMODITIES

Of natural products corn was the most important. Not yet was there any scientific study of hybridization, but English farmers were familiar with at least a dozen varieties of wheat, most notably with the pollard wheat, sown on stiff lands, and the flaxen and lammas wheat on light and poor soils. Seed was generally planted in the autumn, and was thought to fare best in a wet season; that sown on enclosed land was said to be liable to mildew—the only agricultural objection to enclosures.¹ The best bread was made from good wheat with a proportion of salt. Wheaten cakes were also made under the ashes of the fire, and a hard, coarse bread was made from rye, indeed rye provided about 40 per cent. of the bread corn in the later years of the century.² Grain was put to numerous other uses. Wheat meal and oat meal were given to horses and poultry; barley served for malt and for fattening pigs; and from even 'musty wheat' was made a crude spirit, which was mixed with water and sugar 'to make it more pleasant for women'. The Commons, anxious to find a substitute for French brandy as an export to the plantations, were interested in this commodity; but as it became 'ropy' on voyages, it could not be shipped abroad.³

The Restoration legislature gradually evolved a definite Corn Law policy.⁴ In the Book of Rates of 1660⁵ a duty of 2s. per quarter was imposed on imported wheat when the price at the port of landing did not exceed 44s. per quarter, and 4d. per quarter when the price exceeded that amount. These rates were subsequently increased, as by the Act of 1670⁶ which laid an almost prohibitive scale of charges on imported corn where the

¹ N. Bailey, *Dictionarium Rusticum* (ed. 1704), s.v. 'wheat'.

² W. J. Ashley, *The Bread of our Forefathers*, 14-15.

³ Grey, i. 225; also the evidence in *H.M.C. Rep.* viii, app. i. 145-6.

⁴ For this see N. S. B. Gras, *Evolution of the English Corn Market*, and Lipson, *Economic History*, ii. 448-64.

⁵ 12 Car. II, cap. iv.

⁶ 22 Car. II, cap. xiii.

home price was below 80s. One effect of this policy was to provide almost complete protection to the home producer, since foreign corn was kept out by a high tariff wall. In regard to exports also there was a notable development. The Book of Rates established the duty on exported wheat at 1s. per quarter; in 1663 export was explicitly permitted when the home price did not exceed 48s., provided the duties were paid; and by the Act of 1670 the price restriction was removed, in order to encourage tillage. Three years later¹ a system of bounties was instituted whereby, when wheat was at 48s. or less, 5s. was paid for every quarter of wheat exported, with smaller sums for rye and barley. England's withdrawal in 1674 from the third Anglo-Dutch war led to an increased demand for the native grain, notably on the part of Holland; and under this bounty system an export trade in grain was rapidly developed. The bounties, which lapsed in 1681, were revived in 1689 and remained a characteristic feature of the old mercantilist system, their effect being not so much to raise the price of corn, as to keep the price steady, and in this way they helped to provide an incentive for the development of arable farming in the eighteenth century. This artificial stimulus may, as Adam Smith contended, have been harmful to the community, but at least it benefited English agriculture and brought more land into cultivation.²

Contrasted with grain there are products and commodities the demand for which has changed over a long period. These might be grouped according as their utility has increased or diminished. In the former category was cotton-wool, used with a proportion of flax in the making of Lancashire fustians, but still known to many Englishmen as an absorbent material for use in ink-horns. Iron might be included in this class; for it was not yet used in structural work, and served mainly for implements, ordnance, and ornamental ware; but there were increasing opportunities for its application, and in Worcestershire the Folcys and Dudleys were building up an iron industry; while in Staffordshire and round Birmingham the trade in small-arms was rapidly extending. An alloy of tin and lead was used for making pewter, an industry in which England was pre-eminent; but, though the uses of these metals has greatly extended, the lead mines of the

¹ 25 Car. II, cap. i, par. xxxi.

² Lipson, *op. cit.*, ii. 455.

Peak¹ are extinct, and many of the Cornish mines² are now derelict. Coal had not yet displaced wood for fuel, but it was coming to be more generally used; moreover, an export trade in coal to Portugal and the Mediterranean was being built up. Silk and linen were both in increased demand, and were threatening the supremacy of the native broadcloth, but our silk and linen industries could not compete with the French until, with the increased immigration of Huguenots after 1680, new processes were introduced; and thereafter English manufacturers were able to hold their own in these textiles.

In the same category, that of commodities for which the demand has increased, are sugar, glass, tea, and coffee, all of them at first luxuries, or curiosities which soon became necessities. Sugar supplemented the native honey, and helped to provide a more varied diet. Glass works were established near London, and in Restoration England the glass window was to be found not only in the 'gilt coaches' of the rich, but in the cottages of the poor. This almost universal use of the window-pane must have been of revolutionary importance in English life; for only with adequate illumination can there be pride in the interior of one's house. Another stimulus in the same direction was supplied by the increased imports of porcelain from the east and mahogany from the west, thereby providing women with opportunity for the exercise of a refinement never attainable in the old 'parlor', with its benches of oak or deal, and its lingering odours of beer and tobacco. Three women make a market; with a pot of tea and a set of china they become a drawing-room. But not until the next century was this evolution accomplished.

Of the second category, that of commodities which have suffered a diminution in comparative importance, an example is leather. The raw hide was the basis of one of the most extensive industries of the period; like English wool, the native leather was considered superior to the foreign product, and English craftsmanship was seen at its best in the manufacture of boots, shoes, and saddlery. Old boots were either used for fuel or exported to France.³ At first Charles II's government extended to leather

¹ See *infra*, 79-80.

² See *infra*, 78-9.

³ H. Belasyse, *An English traveller's first curiosity* (1657), in *H.M.C. Rep., Various Collections*, i. 200.

the same protection as was already given to wool, namely, prohibition of export.¹ But this policy was speedily reversed, and for a characteristic reason: because it was thought that, in consequence of the embargo, raw hides had fallen in price, thereby discouraging the breeding of cattle, and so causing a fall in rents. Free export was therefore allowed,² avowedly in the interests of the landlords. By this the grazier probably benefited; but the removal of the restriction was said to react unfavourably on the leather trade; for the best raw material was supposed to be sent abroad, leaving the poorer qualities to be worked up at home, thereby injuring no less than twenty-six allied trades. This decline was intensified by the fact that the plantations, which, earlier in the reign, imported large quantities of wrought leather, soon employed artificers of their own; in consequence the leather industry was held in 1685 to be in a state of impoverishment.³

A clearer illustration of this diminution in the economic importance of a commodity is provided by spice. Earlier in the century no kitchen was complete without its supply of the native saffron, or imported pepper, nutmeg, cloves, and cinnamon, all liberally used in the flavouring of dishes at a time when few vegetables were consumed. They were also utilized in pharmacy, each having a reputed medicinal quality, and when burned they served as fumigants. Owing to their small bulk and comparatively high price, spices were a most profitable article of import from the east; indeed one of the main objects of Anglo-Dutch rivalry was to secure control of the Spice Islands, an object which, despite their most strenuous efforts, the English East India Company never succeeded in achieving, and so the Dutch retained an almost complete monopoly. How much importance they attached to this trade may be deduced from the fact that, in the peace concluding the second Anglo-Dutch war, the small Spice Island of Pularoon was considered adequate compensation for the loss of the New Netherlands. But already the fashion was beginning to change; for sugar was becoming an established article of dietary, the odour of coffee was displacing that of cinnamon, and

¹ 14 Car. II, cap. vii.

² 19-20 Car. II, cap. x.

³ *H.M.C. Rep.* xi, app. pt. ii. 312, *MSS. of the House of Lords*: petition of the shoe-makers and leather manufacturers, June 4, 1685.

tobacco smoke (poured out in denser volumes after the Plague) was establishing itself as a universal disinfectant. In some cases the better quality of meat (through feeding on the new grasses) may account for this change of taste; and in 1674 Anthony Wood¹ noted that spices were seldom served with meat, and that the trade was declining. There were remote but important consequences of English failure to capture the spice trade. Expulsion from the profitable islands drove the English to the Indian mainland, and so added to the Company's trading activities the responsibilities of empire. This was one of the two accidents which indirectly paved the way for British dominion in India, the other being that, of the competitors for a marriage alliance with Charles II, the Portuguese were best supplied with ready money. That Bombay was part of the dowry did not seem a great inducement; for some educated Englishmen thought that Bombay was a fort in Brazil.

Among the material needs of Restoration England to which a special importance was then attached are timber, wool, fish and salt, tobacco, beer. Each will be considered briefly in turn.

Timber. In 1660 about an eighth part of England was said to be wooded, and there were nominally sixty-eight royal forests, but it should be noted that the word forest was often used of treeless wastes such as can be seen to-day in the Scottish deer forests. Three royal preserves—the New Forest, the Forest of Dean, and that of Alice Holt (Hampshire)²—supplied some of the needs of the Navy. Timber had not been conserved during the Commonwealth; and the naval wars, together with the rebuilding of the city of London, forced the problem of its supply on public attention. Accordingly, the government bestirred itself; new sources were tapped, and in 1666 an agent was sent to Scotland, where he contracted for 2,000 fir trees to serve as masts.³ Yarranton the 'improver' suggested that timber should be brought from Ireland.⁴ Nor were these the only expedients. A part of the Forest of Dean was enclosed in order to provide a nursery for young

¹ Wood, ii. 300.

² For this see R. G. Albion, *Forests and Sea Power*.

³ Carte MS. 222, f. 85.

⁴ Yarranton, *England's Improvement* . . . 39.

trees,¹ and some improvements were effected in the management of the New Forest.² Even the Navigation Acts had to be modified to permit free importation of Baltic timber, as the difficulty was that English ships were not adapted to the stowage of great lengths of wood,³ and the Dutch had already established themselves in the Baltic trade.

In spite of these efforts there was a serious shortage, most serious after 1679, when unseasoned wood had to be used, responsible perhaps for the large toadstools which Pepys collected from the interior of ships' hulls.⁴ Greatest of all difficulties was that of procuring what the ship-wrights called 'compass oak', that is the large pieces required for the stern post (sometimes 40 feet long and 2 feet thick) and for the stem and knees; indeed, for oak of these dimensions, the Navy had to draw mainly from a single source of supply—the privately-owned forest of Ashdown, where the heavy Sussex clay produced the best oak in England. Foreign oak provided fewer pieces of the requisite size or shape, and so had to be used mainly for planking, for which purpose beech and elm were also used, but they were inferior. In addition to the hull there were the masts and rigging, and one full-rigged ship would consume a large supply of fir, pine, or spruce, varying in length from the mainmast of a first-rate (about 100 feet) to the fore-top-gallant yard of about 20 feet.⁵ The straight, elastic fir needed for masts and spars was then obtained from the southern Baltic, that of Riga having the preference; but after 1652 masts began to be imported from New England, and when her charter was in danger, Massachusetts attempted to conciliate the home government by a present of masts. But an imperial policy in regard to timber was impossible so long as England insisted on taking all her best oak from Sussex; nor was there any recognition of the enormous resources of the American forests. Inadequacy of timber-supply helped to limit English achievement in the last two Anglo-Dutch wars, and of this period it is specially true that

¹ 19-20 Car. II, cap. viii, and *Cal. Tr. Bks.*, 1667-8, 131, 200.

² By paying the keepers in money instead of wood a saving of £3,000 a year was effected. *Cal. Tr. Bks.*, 1669-72, 1120.

³ For English shipping see *infra*, 232-4.

⁴ S. Pepys, *Memoires of the Royal Navy* (1690), ed. with introduction by J. R. Tanner (1906), 47.

⁵ A. Moore, *Seventeenth-Century Rigging*, in *Mariners' Mirror*, ii, no. 9.

naval supremacy was dependent on oak—of hulls almost as much as of hearts.

Wool. Our misquotation of the old adage 'to spoil the sheep for a ha'porth of tar', and the frequency of the name 'Ship Street' in our inland towns, serve to prove that sheep and wool have suffered a diminution in national importance. Throughout the fifteenth and sixteenth centuries wool had proved a most profitable article of speculation, and the churches of the Cotswolds and East Anglia were built mainly by men who had made fortunes from the rich pastures there. Over-production and deterioration in the breed of sheep diminished its importance in the seventeenth century, leading to a considerable fall in price; moreover, there was increasing competition from Spanish wool which, after 1648, found a ready market in Holland and the Low Countries;¹ and, later in the century, Ireland was added to the number of wool-exporting countries. In spite of the threat of a glut at home, the Restoration government renewed the old prohibition of export,² from a conviction that the English product had special advantages over the foreign, and that free export would endanger the native cloth trade by providing the foreigner with good material on which to work. The legislators were here voicing the popular view, a view justified by one economic consideration, namely, that England had unique advantages not so much in the quality as in the variety³ of its wool, which might be middle, fine or superfine, short or long, coarse as in Suffolk or of superlative fineness as in the Leominster district of Herefordshire.⁴ From the long wool were made the worsteds, and from the shorter was made an endless variety of cloth; so the English craftsman had at his disposal a wider choice in the length and texture of his material than could be found on the Continent, where there were mainly two types—the very fine wool of Spain, so short and fragile that often it was difficult to work, and the coarser wools of France, Holland, Flanders, and Germany. For this reason the English material was eagerly sought after, and the fact that so much of it was

¹ *Add. MS.* 32094, f. 243.

² 12 Car. II, cap. xxxii, and 14 Car. II, cap. xviii.

³ See *supra*, 35.

⁴ *Cal. S.P. Dom.*, 1675-6, 373 sqq. Also *England's Interest by Trade Asserted* (1671). For evidence regarding foreign use of English wool see *H.M.C. Rep.* viii, app. pt. i, 127-8, *MSS. of House of Lords*.

smuggled abroad gave some support to the views of those who wished to retain the prohibition on its export. From this smuggled material France was able to make worsted stuffs and stockings, which were re-exported to England, a trade lucrative for the French but responsible for some of the Gallophobia so intense in the latter half of the century.

Until the nineteenth century this trade was jealously safeguarded by the legislature, since it was that which gave employment to the maximum number of persons of both sexes and all ages in practically every corner of England.¹ Change of fashion threatened to destroy its supremacy, and the native homespun had to face the competition of materials such as calico, muslin, and silk; but, with the Revocation of the Edict of Nantes (1685) and the increased immigration of Huguenots, there was developed in England not only a silk industry, but an improved woollen industry, especially in those processes where an admixture of silk could be employed. New methods of dyeing were also adopted through the example of French immigrants. At the same time fresh efforts were made to promote the use of English wool. Already there were Acts that shrouds should be of woollen only;² in 1685 it was proposed to make compulsory the lining of coaches with wool, and to require women under the degree of gentlewoman to wear hats of the same material.³ After 1678 the price of the raw material rose from the lowest point touched in the century (5*d.* -6*d.* per pound), a rise due to various causes, including increased exports to Spain and Portugal,⁴ and the creation of what was practically a free market by smuggling.

Fish and Salt. For England of the later seventeenth century salt-water fish meant mainly herring caught in the North Sea, pilchards from the Devonshire or more often from the Cornish coast, salmon (obtainable in many English rivers), mullet from

¹ For this see *infra*, 81-2.

² 18-19 Car. II, cap. iv; 30 Car. II, cap. iii; 32 Car. II, cap. i. A certificate to this effect had to be signed by the relatives.

³ *C.J.* ix. 733, June 12, 1685.

⁴ In the period 1670-1700 English exports to Portugal, consisting mainly of provisions and cloth, are said to have trebled in value [V. M. Shillington and A. B. Chapman, *Commercial Relations of England and Portugal* (1907), 213]. It was the adverse balance of trade against Portugal which led to an increase in the export of Portuguese wines to England after 1678 (*ibid.* 220).

the Sussex coast, and sprats. The red herring, which abounded near the east coast and was cured at English ports, was regarded as a distinctively national commodity, and was assigned special place in the all-comprehensive triumvirate—'fish, flesh and good red herring'. To the legislator, fish was associated with shipping and naval supremacy, many of the earlier Acts for the encouragement of the Navy being little distinguishable from Acts for the promotion of fishing; to the divine, the consumption of fish was linked with abstinence on Fridays and in Lent. Both therefore agreed in advocating a fish dietary, and the methods of preserving then employed ensured the imposition of an appreciable degree of self-mortification on the consumer. Economically also, barrelled fish was a necessity in the winter, when little fresh meat could be obtained, and it was a profitable article of export; indeed, it might without great exaggeration be said that, while in the sixteenth century western Europe was divided between the warring camps of Protestant and Catholic, in the succeeding century the two leading Protestant nations were fighting each other in order to capture the profitable trade of supplying salted fish to Catholic countries. The fact that shoals of herring were to be found near the English coast induced Englishmen to make a bid for the trade;¹ but these efforts were unsuccessful, because the Dutch, with their large fleets, their unrivalled methods of packing, and their wonderful organization, had already made this trade their own.² The herring was therefore one of the main causes of Anglo-Dutch hostility, and the herring-buss was the foster-mother of the iron-clad.

Hence the importance of salt. Among the varieties in repute were that from Cape Verde and that from Setubal (near Lisbon), the last-named being extensively used by the Dutch, who experimented in the blending of salts. Of the native sorts, those from the brine-pans at South Shields and from the pits of Staffordshire, Cheshire, and Worcestershire were the most widely used.

¹ For this see *infra*, cap. vi.

² In an undated memorandum (*S.P. For., Holland*, 219) it is estimated that the annual value of the Dutch herring exports to Elbing, Staaten, and Danzig was £620,000; to Denmark, Sweden, and Norway, £170,000; to Hamburg, Bremen, and Emden, £100,000; to Russia, £27,000; to Germany, £440,000; and to France £1,000,000.

Evaporation over coal or wood fires was the method commonly employed, the aim being to separate the bittern or lye from the kern or crystals; efforts were also made to procure as large crystals as possible, free from the bromine of the bittern.¹ Cheshire salt had a bad colour, possibly because it was clarified by unsuitable substances; Staffordshire salt was more slowly crystallized, and the use of white of egg gave it a better appearance; but nevertheless the salt used in England must at times have been an unsavoury article, and may have added a flavour to the substances which it purported to preserve. The best results were obtained from 'salt upon salt', that is, the granules of brine evaporated in the sun, refined by boiling with salt-water to eliminate dirt, sand, and bittern.² In these processes the Dutch were supreme; moreover they paid more attention to sorting and barrelling.

Tobacco. There was a steady increase in the social and economic importance of tobacco. With the exception of Charles II, the Stuarts disliked the weed, and already James I had blown heavily on its reputation in his *Counterblast*, wherein he demonstrated that the taking of tobacco was an ignoble habit, reducing a man to the level of a chimney, and rendering him liable to melancholia. This aversion was reflected in the earlier Stuart policy towards the colonies; for repeated efforts were made to induce the planters of Virginia to turn their attention to commodities more useful than tobacco; and high impositions were levied on the imported article, the effect of which was to cause Englishmen to grow their own supplies. Hence, small plantations were established in many counties, notably Gloucestershire, Herefordshire, Worcestershire, and Warwickshire, where there was little difficulty in growing the crops; but the methods of curing were unsatisfactory, as the leaves had to be suspended on strings in the autumn sun, and owing to cold nights were never properly ripened. During the Commonwealth, these plantations were seldom interfered with (though the industry was forbidden by Ordinance), possibly because it was thought that the English planter, from the seasonal character of his work, with its long

¹ J. Houghton, *Collection for the improvement of husbandry and trade* (1727 ed.), ii. 62 sqq.

² There is a contemporary account of these processes by John Collins, F.R.S., *Salt and Fishery* (1682).

periods of comparative idleness (and consequent debauchery), was likely to be a suitable object for royalist propaganda.¹ English tobacco was said to be harmful to its partakers, for much of it rotted in the maturing process;² and adulterations, such as starch and coal-dust, made further heavy demands on the robustness of the native taste.

The Restoration inaugurated a consistent and vigorous policy towards tobacco. Smoking had now established itself as a social habit, and although as late as 1664 an attempt was made to encourage the export of pitch and tar from Virginia and Maryland,³ it was at last recognized that these plantations were specially adapted for a crop from which a large fiscal revenue could be obtained. Accordingly, colonial tobacco was included in the 'enumerated' raw materials of which England was becoming the staple, a staple whence native consumer and European importer drew their supplies on payment of a duty. A necessary corollary to this policy was the suppression of tobacco-growing in this country. Several prohibitory statutes were therefore passed,⁴ one of which provided an exception in favour of the 'Physick Gardens' of the universities, and 'other private gardens for surgery', where not more than half a pole might be grown for experimental or medicinal purposes. But the general prohibition was difficult of enforcement, and companies of dragoons had to be employed to root up the plants.

Thus tobacco had its justification in the revenue which it provided, and in the amount of English shipping required for its import and re-export. In 1671 this trade employed about 140 ships of between 150 and 500 tons, and the Customs benefited by about £100,000 per annum.⁵ In this way England was awakened to the fact that the plantations, so far from being burdens, were potential sources of profit. Consequences of almost equal importance attended the spread of the tobacco habit at home. Medicinal qualities were at first attributed to it; and when coupled with psalm-singing the weed was supposed by some to be a cure

¹ C. M. MacInnes, *The early English tobacco trade*, 96-102.

² For tobacco-growing in England see W. J. Hardy, in *Archaeologia*, li (1888).

³ *Cal. S.P. Dom.*, 1664-5, 113.

⁴ 12 Car. II, cap. xxxiv; 15 Car. II, cap. viii; 22-3 Car. II, cap. xxvi.

⁵ *H.M.C. Rep.* ix, pt. ii. 10, *MSS. of the House of Lords*.

for melancholy;¹ moreover, its smoke was held to provide in a volatile and therefore more powerful form the virtues of two substances specially favoured by the alchemist—sulphur and nitre.² Smoking thus commended itself to an age of alembics and distillations, providing a counterblast to rival aromas; but it came to be more than a protective against the unsavoury, because its narcotic qualities helped to foster that spirit of compromise which, more perhaps than any other quality, helps to distinguish our age from the eras of religious strife.

Beer. Beer was commended by the chemists and physicians because, by 'decoction and fermentation', the cold 'dampness' of the water was removed, leaving it 'brisk and sparkling with the arial life and richness of spirit'. 'Waters', it was said, 'are best to be taken when the sun hath exhaled the damp and cold fog therefrom, and their bowels are warmed with the benevolent rays thereof, for to be sure what Nature does not in this case, Art must.'³ The virtues of fermented substances were therefore contrasted with the evils of 'raw' or cold water. But, in truth, English beer needed no commendation, as it was then a national drink, more widely used than is tea to-day. It was an essential part of the people's dietary, and great harm was done when army and navy contractors profited by supplying the Navy with bad beer, from which source there were several deaths in the third Anglo-Dutch⁴ war. It was also the standard drink at elections, and gained in comparison with coffee; for the oriental beverage by keeping men awake was said to make them seditious, while the more somnolent beer kept them loyal. 'Plotting and Sotting' were among the earliest divisions of English party politics, and the tories, faithful to the native brew, satirized the 'syrop of soot and old shoes'⁵ imbibed in whig coffee-houses, imputing to their opponents a degree of wakefulness inconsistent with the full requirements of seventeenth-century patriotism.⁶ The earliest accusation against the whigs was their sobriety.

¹ This prescription was offered to George Fox and rejected: *Journal* (Everyman ed.), 4. ² R. Thorius, *Hymnus Tabaci* (translation of 1651).

³ *Cervisarii Comes* (1692), 28.

⁴ *Cal. S.P. Dom.*, 1672-3, viii.

⁵ Quoted by sir George Sitwell, *The First Whig*, 122.

⁶ 'And better it is to be honestly sotting

Than live to be hanged for caballing and plotting.'

(*The Pot Companions*, in *Bodley, Wood*, 417, xciii.)

To the legislator, beer was the ideal object of taxation because (a) both the ingredients and the taste for it were almost constant factors; (b) it was a necessity, in the sense that it was served at every meal, including breakfast; and (c) it was a luxury, in the sense that water could be used instead. Accordingly, revenue from the Excise on beer possessed a uniformity and dependability not to be found in any other form of taxation. Wine would fiscally be less certain, because it was a foreign and much more varied commodity; face-powder or perruques would be a precarious source of revenue, since the fashion might go out as quickly as it had come in. The duchess of Portsmouth, ignorant of English ways, was content to have the security for her pension assigned on the wine licences, not foreseeing the day when England would prohibit the import of French wine; but lady Castlemaine, more astute or better informed, had her pension placed on the Excise as 'the more secure and legall fonds'.¹ When, by a silent but momentous revolution, the tenants of the crown by knight service divested themselves of their feudal dues and obligations, the burden was transferred to the substance best able to bear it, namely, beer.² The same liquid contributed to the stability of the two greatest financial institutions in the country—the National Debt and the Bank of England; for each originated as a national loan, and the security for the payment of interest on both loans was placed on the most reliable fiscal basis—the Excise.³

4. THE CHIEF OCCUPATIONS: MINING AND METAL-WORKING; TEXTILES; AGRICULTURE

Mining and metal-working were important industries of Restoration England, but their distribution was not identical with that of to-day; for, while most of them relied on water-power, on the other hand they were less dependent on coal. Coal was, however, an essential element in the iron-making in the Forest of Dean, where a pliable metal called sow iron was smelted from iron-stone and from the mounds of cinders reputed to have been left by the Romans. This industry, which is said to have employed 60,000 men, involved the consumption of both coal and wood; the

¹ *H.M.C. Rep.* vi, app. pt. i. 473.

² See *infra*, 159.

³ 4 Gul. et Mar., cap. iii, and 5 Gul. et Mar., cap. vii respectively.

products were sent to the forges of Worcestershire, Shropshire, Staffordshire, and Warwickshire to be made into bar iron.¹ The forges in the Forest were leased from the crown; and both miners and colliers were a monopolist community, having their own court at St. Briavel's, where questions of debt, trespass, and right-of-way were determined. A share of the profits was paid to the crown and to the lords of the soil. Mining was here an ancient 'mystery'; the right of working the pits and sinking new shafts was confined to those born within the bounds of the Forest; nor might any 'foreigner' come to see 'the practices of our sovereign lord the King in his mines'.² Crown rights do not appear to have been so long respected in mines outside the Forest of Dean; but this was compensated by the Customs receipts from the increasing exports of coal.³ Among other places, coal was obtained from the shallow pits of Atherstone and Nuncaton, from some parts of Shropshire, but most extensively from the mines of Durham. It may be said generally of the northern coal industry that, in Restoration England, it was becoming more specialized; for the workings were deeper, and mining was ceasing to be a part-time occupation; moreover, as it generally cost about £1,000 to sink a new shaft, capital was essential, and there was also the expense of way-leaves, of special importance because the mine-owner rarely possessed the freehold.⁴ Frequent flooding of the pits was another difficulty; in consequence, coal-mining was a highly speculative enterprise. But it was still possible to make profit even from the shallow mines, because the inferior coal found near the surface could be sent to the salt-pans at South Shields, while the better variety from greater depths was shipped in Newcastle colliers to the markets in the south.

The tin mines of Cornwall were then in full activity, providing irregular and often sweated employment to ten or twelve thousand tin-miners, who lived in hovels and worked in short shifts (often by candle-light), engaged in an unhealthy occupation,

¹ Yarranton, *England's Improvement* . . . , 57, 59, 60.

² There is a good account of their laws and usages in H. G. Nicholls, *Ironmaking in the Forest of Dean* (1886), 65 sqq.

³ Coal was assessed in the Book of Rates at £8 per Newcastle chaldron.

⁴ For this subject generally see A. Moller, *Coal-mining in the seventeenth century*, in *Trans. R.H. Soc.*, series iv, no. viii.

which suffered the additional disadvantage of decreasing wages, due to diminished demand. Moreover, the miners were often at the mercy of the tin factors; nor did they have any by-occupation such as weaving to supplement their variable earnings.¹ Tin-mining included a number of processes. The ore, having been brought to the surface, was first broken up in a stamping mill, after which it was taken to the blowing house, where it was melted and cast into blocks of from 300 to 400 pounds weight. The owner having set his mark on them, the blocks were taken twice yearly to the coinage towns—Truro, Lostwithiel, Helston, and Liskeard, where they were assayed or ‘coined’ by cutting off a corner (‘coin’). These terms must not be taken to imply the existence of substantial buildings, since the blowing houses were merely structures of rock or turf having thatched roofs which were burnt down every few years in order to salve the tin blown into the thatch.²

More favourable conditions prevailed in the lead-mining of the Mendips and the Peak, where the miners worked individually or in small partnerships, and there were fewer complaints of exploitation by middlemen. The heart of the Forest of Mendip was the manor of Cheddar, once part of the ancient demesne of the crown; in the neighbourhood, and especially at Chewton, lead was extracted from the unclosed common, and when this was worked out, other metals such as calamine and manganese were mined. Here, as in Cornwall and the Forest of Dean, there were courts and laws to regulate the relationship between the miner and his mates on the one hand and the lord of the soil on the other.³ There was a similar jurisdiction in the most important of lead-bearing districts in England—the Peak district of Derbyshire.⁴ By custom, a prospector who found ore in the district freed his claim by giving a ‘dish’ of lead to the lessee of the royal

¹ G. R. Lewis, *The Stannaries*, 217, 220–1.

² *Ibid.* 17.

³ For the Mendip mines see J. W. Gough, *Mendip Mines and Forest Bounds*, in *Somerset Record Society*, xlv (1931).

⁴ For the Derbyshire mines see *Bygone Derbyshire* (ed. W. Andrews, 1892); *The complete mineral laws of Derbyshire* (1734); *The rhymed chronicle of Edward Manlove* (original ed. 1653; edited with notes by T. Tapping, 1851); also W. Hardy, *The miner's guide* (1748). Miscellaneous information will be found in *Add. MSS.* 6681 and 6682. The subject is worthy of a modern monograph.

rights; and in order to obtain full title and possession he applied to the barmaster who, with at least two of the jury, marked out the 'meers' of ground, each containing about 30 square yards. By custom also if a miner left his 'grove' (the shaft leading down to his mine) for nine weeks he forfeited it, unless it was proved to be unworkable because of wind or water; so too his wife might lose her dower, if the 'grover' or miner left his holding unworked for want of 'stows', or pulleys for drawing up the ore in tubs. The crude ore was first dressed with a chipping hammer, and then taken to a 'bing place' where it was crushed; it was then sold by the standard measure of the 'dish'—a receptacle 28 inches long, 6 inches wide, and 4 inches deep.¹ At Wirksworth a barmote court was held twice a year to regulate the conduct of this primitive and almost self-contained community:

And two great courts of Burghinoot ought to be
 In every year upon the minery,
 To punish miners that transgress the law,
 To curb offenders and to keep in awe
 Such as be cavers,² or doe rob men's coes,³
 Such as be pilferers, or doe steal men's stows:
 To order grovers, make them pay their part,
 Joyn with their fellows, or their grove desert,
 Or work their meers beyond their length and stake,
 Or otherwise abuse the mine and take,⁴
 Or dig or delve in any man's bing place,
 Or do his stows throw off, break or deface:
 To fine offenders that doe break the peace,
 Or shed men's blood, or any tumults raise
 Or open leave their shafts, or groves or holes
 By which men lose their cattle, sheep or foles.⁵

Tin and lead were essential for the pewter industry; but the increased production of gold and silver-ware helped to relegate pewter to the kitchen, and this process was contemporaneous with a falling off in the exports of tin and lead to the Mediter-

¹ *The compleat mineral laws of Derbyshire* (1734).

² Men wandering about the mines to beg or steal.

³ Coes were the sheds in which miners left their tools.

⁴ A wide vein lying perpendicularly between two shafts.

⁵ *The rhymed chronicle of E. Manlove*, ed. T. Tipping.

reanean and the East. Increasing use was, however, being found for copper, which was obtained from various mines, including one at Keswick and another at Ecton Hill (Staffordshire); these were under the nominal control of an old monopolist company—the Mines Royal. The smelting of brass was in the hands of another monopoly—the Society of the Mineral and Battery Works.¹ These two companies were obliged to lease out their mines and works to capitalists and partnerships; but the latter company had premises in various parts of Nottinghamshire, and brass foundries at Isleworth and Rotherhithe, where it gave direct employment to wage-earners. In general, therefore, smelting and brass-making were capitalist ventures conducted on a factory system; but the products, such as iron and brass wire, with copper and brass sheets, were the bases of many domestic industries, including the making of pins, nails, kettles, wool-cards, and hardware, that could be carried out by small men working singly or in partnership.² In this domestic industry there was a characteristic relationship. The brazier (except where he was a direct employee of the Mineral and Battery Works) obtained his raw material from the company and sold it through the middleman; between these two his status was that of debtor and creditor rather than of buyer and seller.

This relationship is to be found also in the textile industries, of which the most important was the making of woollen cloth. Every part of England contributed to this basic industry, each district supplying a distinctive variety, such as the 'flanions' of Essex and Suffolk, the kerseys of Hampshire, Surrey, and Devon, the worsteds of Norfolk, and the varieties classed as the New Draperies, all subject to minute control and inspection in order to ensure conformity in size, material, and workmanship. There was such a multitude of statutes regulating their manufacture that the wit of man could not comprehend them all; and, for centuries, scarcely a year of parliamentary activity had passed without the addition of some fresh enactment to the Statute Book. The national character of this industry was emphasized by the fact that workers were not dependent on the wool of their neighbourhood; on the contrary, there was much transit of raw

¹ For this see H. Hamilton, *English brass and copper industries to 1800*.

² *Ibid.* 85.

material, and varieties from a distance might be combined; thus the wool of the West Riding was used locally only for the coarsest cloth, and was supplemented by the finer products of Rutland, Warwick, and Oxfordshire.¹ So too there was multiplicity in the occupations brought into existence by the working-up of wool, because, from the moment of leaving the sheep's back, the raw material passed through a hierarchy of craftsmen—the spinner who made the yarn, the weaver who wove the cloth, the fuller who thickened and felted it, the shearman who dressed it, and the dyer who coloured it.² In the older England there were few villages where no yarn was spun; is not every unmarried English woman a spinster? Throughout the ten thousand parishes of England the women in their cottages were preparing the material on which English maritime trade was built; for it was mainly by her exports of cloth that England paid for her imports.

In several districts, notably Yorkshire, there existed what has been termed the 'clothier' or 'commission' system, whereby the employer bought the raw material, 'put it out' to cottage workers, and then marketed the finished piece; but this agency was not fully specialized, since the same man might be wool-buyer, weaver, and cloth-seller; or these activities might be shared among a few relatives or friends. Only where operations were conducted on a large scale would the master clothier be solely a capitalist agent.³ It was in Wiltshire and the south-west of England that this specialization had proceeded farthest; for there large-scale production made possible a division of labour. In addition to the clothier-employer, there was the middleman whose business was to go round the country buying wool from the farmer and selling it to the clothier, in accordance with local needs. The reputation of these middlemen was bad, as they were said to engross the market; and their increased number provides evidence of the part played by capitalist enterprise in the clothing trade.

Capital was playing a similar part in the development of the Lancashire cotton industry; for, in the course of the century, there had grown up bands of venturers who brought Cyprus cotton to

¹ H. Heaton, *Yorkshire woollen and worsted industries*, 118.

² E. Lipson, *History of the English woollen and worsted industries*, 27.

³ Heaton, *op. cit.* 91-2.

Lancashire and marketed the finished product in London;¹ here indeed, even more than in woollens, the worker was dependent on the capitalist, and was completely cut off from both the consumer and the source of his raw material. The custom was to advance on credit a supply of cotton and yarn to the various types of worker, whether farmer-weavers or small-scale employers, and in this way the industry was manipulated by a number of dealers, equipped with capital of very diverse amounts, many of them Puritans or Presbyterians,² and all of them characterized by northern enterprise, such as eventually transformed Manchester, Bolton, and Rochdale into busy centres of linen-weaving and cotton-spinning. Individualism was therefore more prominent in these textiles than in the older and more fully regulated clothing industry; moreover, as these newer developments lay mostly outside the corporate towns, the new-comers did not have to force their way against the vested rights of which the privileged towns were such staunch upholders.³ Of the more free commercial centre thus created a good example was Rochdale, a town then consisting of little more than a church, a few streets, inns, woolshops, warehouses of clothiers, mercers, drapers, with fulling mills and dye-works on the river; here was a centre for a wide area of workers and distributors, most of them occupying small holdings and cottages in the local country-side.⁴ Thus linen and cotton not only threatened the old monopoly of wool, but gave rise to industries free from the restrictions which still regulated the production of cloth.

But even in the clothing industry there are evidences of greater freedom in the conditions of labour. In the corporate towns it was sometimes difficult to enforce the conditions of apprenticeship, and this difficulty was greater in the country, where the master did not have the backing of a municipal authority.⁵ Moreover, the justices had ceased to assess the maximum rates for craftsmen,⁶ and so there was somewhat greater bargaining power. But

¹ A. P. Wadsworth and J. de L. Mann, *The cotton trade and industrial Lancashire, 1600-1780*, 36.

² For this see R. H. Tawney, *Religion and the rise of capitalism*, ch. v.

³ A. P. Wadsworth and J. de L. Mann, *op. cit.* 53-5.

⁴ *Ibid.* 55.

⁵ *Ibid.* 60.

⁶ R. H. Tawney, *Assessment of wages by justices of the peace*, in *Vierteljahrsschrift für Sozial- und Wirtschaftsgeschichte*, xi. 544.

the wage problem was totally unlike that of to-day, because the town- and village-workers were mostly in a stronger position, as they generally had the support of subsistence farming; some of them, notably the village weaver and the joiner, often sold direct to their customers; and in general there was no large class of men dependent solely on wages. In consequence the government was concerned not so much with wages as with prices and usury.¹ Where there was conflict of interest, it was sometimes due to the introduction of labour-saving devices, such as the Dutch small-ware loom in place of the old single loom. There were weavers' riots in 1675 from this cause, and it is notable that the attorney-general was ordered to consult with the judges in order to determine whether the arrested rioters could be charged with high treason.²

These facts support the view that there were numerous local differences in the conditions of labour prevailing in the mining, metal-working, and textile industries; consequently all generalizations about economic conditions in the strongly provincial England of the Restoration must be made and received with caution. This is equally true of husbandry; for just as there were innumerable gradations between the exceptional extremes of the capitalist employer and the wage-earning employee, so on the land there were many types intermediate between the landlord and the agricultural labourer. The word 'husbandman' has been used of a composite class—the small copyholder, obliged to supplement his meagre profits by working for wages, generally in time of harvest. This class was very large. Unfortunately its members were silent; they rarely kept accounts; they wrote neither memoirs nor letters; few of them were even lay preachers, and they left behind them little more than the interrogation: how did they make ends meet? For the poorest of them, and for all dependent solely on wages, the answer was sometimes provided by the high rate of mortality, but nevertheless, it should not be assumed that conditions were specially harsh for these men in the reign of Charles, since the later seventeenth century compares favourably with the early nineteenth, so far as the workers on the land were concerned.

¹ R. H. Tawney, *op. cit.* 537.

² *Cal. S.P. Dom.*, 1675-6, 250-60, quoted in A. P. Wadsworth and J. de L. Mann, *op. cit.* 101.

Even thus, the fact still remains that for the majority of the inhabitants of the country-side life was hard and precarious; sometimes it was hopeless. As an illustration of the narrow margin on which the wage-earner had to live, take the wage assessment of the Worcestershire justices in 1662.¹ For a bailiff, the rate was £4 per annum; for a chief hind, £3 6s. 8d.; for a husbandman, £2 10s.; for a labourer, without meat and drink, 7d. per day; with meat and drink, 3d., and 1d. per day more for the period between Candlemas and Harvest. It has been calculated that the average rate for the ordinary agricultural labourer as assessed at Quarter Sessions was 3½d. per day in winter, and 4½d. in summer, with meat and drink;² and what this meant may be seen by comparison with the bare cost of living as estimated from the allowances made for poor relief: namely, 4s. to 5s. per week for an adult.³ It is true that the labourer's wife and family sometimes earned wages, but these rarely amounted to 10s. per week; with the result that while all other classes generally showed a balance, however small, of income over expenditure, this class shows a deficit; and neither contemporary nor modern economists can explain how they lived. A significant proof of the difficulty of the problem is provided by the fact that in many parishes the overseers and churchwardens strictly excluded from settlement all who were wholly dependent on agricultural wages. Indeed this class was considered by many a social danger, because it seemed to be not an essential part of the old economic system, but an excrescence on it.

This problem is by no means confined to the seventeenth century. The worker on the land is the most elusive of all personalities, and evidence about him, particularly for England of the Restoration, is difficult to obtain. About the more substantial copyhold tenants, however, some information can be gleaned from the records of 'progresses', a medieval institution still retained by a few collegiate and scholastic corporations, for such records illustrate the relations between the manorial lord and the copyhold tenant, and generally possess a human element not to be found in manorial accounts. The progress was primarily the rent-collector's visit; but it entailed other duties, because timber

¹ *H.M.C. Rep., Various Collections*, i. 323.

² A. Clark, *Working life of women in the seventeenth century*, 66.

³ *Ibid.* 60.

and premises were inspected, courts were held, and human contact was established by visit or the receipt of hospitality. There was an element of risk about the progress, since rent-collectors, especially if heads of colleges or ecclesiastics, were good game for highwaymen; and so blunderbusses had to be carried; or pirates might even have to be reckoned with, as when a warden of Winchester College was spirited away from the shore and held to ransom by a hovering band of buccaneers.¹ Business, charity, adventure, and social entertainment were thus harmoniously blended in the itinerary of the manorial lord.

From the three volumes of Progress notes made by Michael Woodward, who was warden of New College from 1659 to 1675, it is possible to conjecture what may have been the relations between the lord of a manor and his copyholders. Woodward, who was not distinguished for learning, was a good administrator of the older type; and, as a parish rector in Berkshire, he had already acquired an intimate knowledge of many matters relating to agriculture. As warden of New College, he was required by the statutes to combine two sets of duties not usually associated, but still performed by his successors—the presidency of a large college² and the management of scattered estates. Accompanied by one of the fellows as outrider and by the steward of the manors, he visited, in spring and autumn, properties in Oxfordshire, Buckinghamshire, Cambridgeshire, Essex, and Norfolk, and also tenements in the city of London: these, for the most part being the original endowments of the college.

His first visit was to Tingewick (Bucks.) in April 1659. Court was held at 10 a.m.; in the afternoon the warden had some discourse with the villagers about the enclosing of their common, and by riding round it he observed its bounds, and noted how much was to be allowed to each township. The inspection completed, he then asked the men of Tingewick whether they would abide by the decision of two commissioners chosen by them, a proposal which they rejected, because they 'would not be tied to any man'; nor would they alter what they had already decided

¹ For this see an account by Mr. Herbert Chitty in *The Wykehamist*, no. 512 (1913), 115. The incident occurred in the Isle of Wight, and a ransom of £1 was paid for the warden. I owe this reference to Mr. Chitty.

² For this see *infra*, ii. 690-701.

at their meetings. There then ensued a spirited contest between warden and villagers, with custom as the umpire. On his side, the lord of the manor had to see to it that a reasonable proportion was assigned to the college and the college farm, in support of which apportionment he cited the copyholders' consent thereto in his predecessor's time; whereupon his tenants required written evidence. Accordingly the warden promised to bring at the next progress a survey of Tingewick, with documents concerning it; and eventually the enclosure was effected by four commissioners, two representing the college and two the inhabitants.

Much time was spent at Tingewick and elsewhere in the inspection of the woods and granting allowances of timber. The warden himself marked and priced the trees that were to be cut down, the prices of whole trees varying from 5*s.* to 16*s.* each, the bark being generally valued at 2*s.* 4*d.* per lb. 'To one Johnson, a poor cottager to repaire his house on the common—20 feet' is a characteristic entry. The most substantial tenant in Tingewick was allowed 500 feet for his new house, but an extra tree or two for lathes was refused. When warden Woodward found that men from a neighbouring village had stolen a 'stick' for a may-pole he required them to come into court in order to pay for it—20*d.* for the college and 4*d.* for the bailiff. Stealing wood for may-poles was a constant matter of anxiety to the warden, who was forced to ask his 'man' to procure an attorney of Buckingham to take out process against the offenders unless they would compound for it in court and pay for the trespass as well. Another great source of dispute was the 'lopp and topp' of trees. In 1662 the court had to determine whether the woodman of Tingewick was entitled to this as one of his perquisites, a demand which led to an investigation of college archives, and the production of a paper signed by the 'ancient men' of the village testifying that they had never heard of such a custom. So the woodman's petition was dismissed. 'Lopp and topp' was demanded also by villagers to whom trees had been granted, on the ground that others had already been given it with their timber; very unwillingly did the warden yield to this, the strongest argument in village economy. When Woodward's successor, Nicholas, made his first visit to Tingewick, he was met with the claim that copyholders could sell timber growing on their land, a claim supported by the

contention that it was customary, and that the oldest villager had known it to be done; but the steward countered this plea by reminding them that, according to the custom of the manor, they might cut timber only to repair, not to sell.

The formal business at these courts related mainly to the renewal of copyholds, when a few pounds were extracted in fines and rents; occasionally there was no business 'save the making of a constable', as at Oakeley in May 1663; at other times the warden drew a complete blank, for instance at Radcliffe, in April 1660, when 'there was no money in the place, not so much as to discharge the regards'.¹ The more serious work included applications for permission to divide copyholds into smaller lots, a division generally held responsible for pauperism.² Half a yardland³ appears to have been regarded as the economic minimum; while the full yardland was possibly the largest unit that might profitably be worked by one man, his family and plough team, the yearly value of such a holding varying from £4 to £12. Exceptionally, however, consent was given to the division of half a yardland into two, where there was already a house on each portion, and the petitioners were not dependent on agriculture for a livelihood. Sometimes also the court would intervene in order to protect the inhabitant against the moneyed intruder. Thus at Radcliffe (Bucks.) an outsider wished to buy the reversion of a copyhold for his friends and so put out the 'ancient' family: a request refused by Woodward, unless the family in possession would come into court and acknowledge their consent; for a life or two the stranger could buy, but the reversion belonged to the ancient possessors. There were also special circumstances in which the court might allow a villager to carry away his house, provided it was not made of college timber. For example, a man built a wooden cottage of his own material, paying 4s. per annum rent. At his death he left two daughters, of whom the elder had married a miller, an out-parishioner. This woman was sum-

¹ The gratuities paid to the servants at the houses where the Progress received hospitality.

² For the development of sub-leases and the redistribution of holdings see R. V. Lennard, *Rural Northamptonshire under the Commonwealth*, in *Oxford Studies in Social and Legal History*, no. v.

³ The yardland was nominally about 30 acres, but in practice was generally much less.

moned to court and informed that she might take away the house; she was then sent back to her husband by a warrant, this giving her protection against arrest for vagabondage.

* Control might also be exercised over the character of the repairs undertaken by the tenants; as when wood was granted originally for the purpose of building a chimney, a stipulation might be added that the chimney should be built of stone, and the wood put to some other use. There was also the veto which might be exercised over the marriages of tenants. This was rare in Woodward's day, but he noted of the manor of St. Walerick (Essex) that no woman might marry outside the 'homage',¹ the only instance of this inhibition which he records.

As lord of the manor Woodward acted at times in a manner which would now be considered high-handed. In 1667, at Radcliffe, a Quaker asked permission to make an affirmation instead of an oath for the reversion of his copyhold. This the lord refused, with the threat that if the Quaker did not conform, the reversion would be granted to Woodward's 'man' Paul Symmonds. The warden then induced Symmonds to undertake that, at the next court, he would offer £7 for the reversion, while the price for the Quaker (if he took the oath) was to be £8, the difference to be paid to Symmonds in consideration of his resigning his interest. This unholy contract was contested by the 'homage', not on the ground that it was immoral, but that it was a breach of their custom, an objection parried by the steward, who declared that in copyholds of inheritance the lord could grant the reversion to whomsoever he pleased. So the Quaker, having taken the oath, paid the enhanced fine; the commission of £1 was given to Symmonds, and thus at one stroke the lord penalized the Non-conformist, confuted the village lawyers, and made his manservant's position one of greater emolument and trust.

Another instance was at Steeple Morden (Cambridgeshire). In May 1665 the old village midwife came to Woodward with an offer to sell her holding, consisting of one tenement, a barn, an acre of land, and a little close. She first asked for £50, afterwards coming down to £30, for she might, she said, live for another twenty years, in which case the college would be making a good bargain. The steward offered her £20, which she declined; he

¹ The homage consisted of all who owed suit to the manorial court.

then refused more than four years' purchase, that is £15 or £18. At successive courts the steward renewed his efforts to induce the old lady to accept these somewhat niggardly terms; but she refused, and had her revenge by allowing the premises to fall into delapidation; and so, five years later, Woodward was obliged to direct that from her rent props should be bought to support the house, which by then threatened to fall down. This expense was to be incurred 'until such time as the old hagge should die, for shee will not mend it'. She continued to be a source of anxiety to her economical landlord, who did not succeed so easily with her as with the Quaker of Radcliffe.

Some of the villages visited on progress were still unenclosed, as Great Horwood (Bucks.), where the villagers were very poor. Their allotments were in widely scattered areas, and their common was encroached upon by more enterprising neighbours. Subject to the consent of the lord, they continued to regulate the routine of village economy by common agreement, and in 1671 they asked the warden to approve their plan for 'stinting' of the cattle in the common fields. Their scheme was as follows:

An order of the inhabitants, coppicholders of Horwood Magna for stinting of Commons. Made Oct. 24, 1670, to which many have set their hands and seals.

For every eight acres of arable with hades,¹ one rother² beast.

For every three acres of sound³ ground, one horse or cow.

For one acre and a half or arable with hades, 1 sheep.

For one acre of sound ground, 2 sheep.

For four poles of meadow as much as an acre of sound ground.

Every cottage to keep 2 beasts and 5 sheep.

On examining this scheme Woodward objected that it would prejudice the college demesnes in the village, which, by decree, were allowed common for a yardland. As these demesnes consisted of four closes and about five acres of arable, on the above allotment common would be allowed for only five acres of arable, that is, three sheep. 'It is cunningly penned', said the outrider, 'with intent to whcedle the lord into subscription.' 'Latet anguis in herba,' noted the warden (one of his few classical allusions).

¹ The transverse strips of land on which the plough was turned at the end of the furrows.

² i.e. horned beast.

³ Drained and cleared.

The diary, though a business record, contains items not without interest. When in the country, Sunday was amply occupied with sermons, prayers, and catechizings; and the warden himself sometimes officiated in the pulpit. In London (he lodged at the Red Lion in Holborn) the host brought to his reverend guest books suitable for his calling, these including 'Dr. Boyes his Postilles' and 'Edmund Calamie's *Godly Man's Antidote* with Eliz. Moore's *Evidences for Heaven* in one book', possibly hotel copies. At this hostel the warden sometimes dined on 'a dish of steakes', eating what he thought good and leaving the rest for his man-servant; but when unexpected visitors arrived, the remains of the 'steakes' were retrieved from the servants' quarters and supplemented with a dish of mackerel. In these visits he saw something of social London, as when, in 1667, he dined at Exeter House with the Spanish ambassador Molina, who had lodged in the college at the time of the Plague, and had presented to his hosts a large gilt cup. Less enjoyable were his visits to his immediate superior the bishop of Winchester, Visitor of the College, as on one occasion when he waited on him at Westminster at seven in the morning, and was obliged to occupy himself until eight, an hour which he spent in reading Butler's *Hudibras* ('a false author' he noted). When at last the bishop (George Morley) appeared, he rated the warden in true medieval fashion because of the great cost of the college organ—'an ornament' he styled it. After hearing the warden's defence, the Visitor insinuated that the college must be in evil plight, because in fifty years it had produced few learned men and only one bishop. Thereupon Woodward pleaded the vicissitudes of the times and the poverty of the college, for its total income was but £1,700 per annum, and the fellowships were worth only £8 per annum.

At the college house in Mugwell Street, occupied by a merchant, the warden was introduced to some of the refinements then rapidly spreading among the well-to-do.

We went to our house in Mugwell Street which Mr. Cripps hath made very handsome. I was led by his wife into all the rooms of itt, and being come downe wee had a collation, viz, a dish of pickled oisters and glasses of old and new sack out of the Butt. She gave us also a box of Spanish marmerlade, and when shee perceived that I was putting itt upp into a paper to keep what I could not eate, she gave

unto me not only the remainder of the first box, but also another box, both which, about three days before were brought out of Spaine. The box that was whole I presented unto My Lady Smith, being invited by sir Will. Smith to dine there.¹

On his next visit to this house in 1666 he found that it had been completely destroyed by the Fire; but so far from wasting sentiment over it, he ordered the rubble to be cleared away, and measurements of the property made, so that there should be no dispute about boundaries in the rebuilding. In the country, the hospitality enjoyed by the Progress was simpler, but more abundant. Sometimes the 'hard meats', such as pigeon pie and westphalia ham, caused the warden sleepless nights; in hot weather he once took too much 'cooling sillabub', but he was prepared for emergencies and, as he laconically notes, 'my strong waters cured me'. He was careful to avoid accepting hospitality at the hands of those tenants from whom it was not expected, as a precedent might thus be established. Unusual occurrences in these progresses were noted with the fidelity of a Pepys. In April 1675 at Radcliff (where the Progress were the guests of sir William Smith) the party, consisting of the warden, the outrider, the steward, the vicar, the schoolmaster, and the outrider's 'mate', Mr. Morshead, went into a withdrawing room by the parlour 'to drink a pipe of tobacco'. At a late hour, Mr. Morshead, 'to show his nobleness and slight of money, took out a purse of gold and gave it freely and frankly to Mr. Outrider Hobbs, who divided the said gold among the rest of the company there'. There is no record that Mr. Morshead repented of this unusual action, nor did his associates appear to experience any qualms about accepting the gift. Illness occasionally obliged the warden to prolong his stay, as when a 'sore leg' detained him in a Buckinghamshire village until the medical fellow of the college was sent from Oxford to assist the ministrations of his hostess.

Warden Woodward's memoranda have here been cited not as typical manorial documents of the period, but as illustrations of the difficulties and opportunities confronting a manorial lord determined to retain the prerogatives of the corporation which he represented. He might quite well have allowed many claims

¹ Sir William Smith was a burgess for Buckingham and one of the college tenants at Radcliff.

to fall into desuetude, or have acquiesced in the gradual encroachment of a new, more commercial type of landholding; but he preferred to insist on those details of rule and custom which constituted the essence of the older relationship between landlord and tenant. His notes give a passing glimpse of remote villages where life, it is true, was hard, but tempered by personal contact with a superior who, himself amenable to higher jurisdictions (the Visitor and the College), was seeking not his own profit, but that of a religious, charitable and educational foundation. Moreover, the villagers with whom he dealt were not the landless cottagers of to-day, but mostly small-holders, habituated to a knowledge of their rights, and sometimes prepared to extend them. Frequently in these progresses he was solicited by tenants for his voice in the nomination of boys to Winchester; and though there were more applications than places, the link connecting our oldest public school with the soil was maintained, and so something of the spirit of William of Wykeham still survived. Woodward as landlord may sometimes appear harsh; this is perhaps because he was possibly the only manorial lord of his times who left a full account of his stewardship.

III

THE PEOPLE: THEIR SOCIAL PROGRESS

I. THE DEVELOPMENT OF SOCIETY

THE progress of English civilization in the reign of Charles II was rapid. Before enumerating the more noteworthy of the classes which constituted English society, it is necessary first to describe some of the institutions which promoted social progress.

London was the most important of these institutions. The city, with a population estimated roughly at half a million, was a densely packed community (broken here and there by the gardens attached to large houses), situated mainly on the north bank of the Thames, and was still officially bounded by its ancient gates: Ludgate and Newgate on the west; Aldersgate, Cripplegate, Moorgate, and Bishopsgate on the north; and Aldgate on the east.¹ Outside of Southwark there was little population south of London Bridge, for Bermondsey, Newington Butts, and Lambeth were villages, while Peckham and Vauxhall were rural resorts. To the north of the old city were the fields round Islington, with their cow-sheds and outhouses; to the east, the Mile End Road became a country lane immediately beyond Whitechapel; to the west, one might walk past gardens as far as Westminster; and farther north, the suburbs did not extend beyond the modern Trafalgar Square and Charing Cross Road. By destroying most of the medieval city, the Great Fire made possible the creation of a new and larger London, with wider streets and spacious squares, such as Bloomsbury and Leicester Squares, and that of Covent Garden (with its porticoes); another breathing space was left in Lincoln's Inn Fields. Already fashion was moving west-

¹ Among contemporary accounts of the city are J. Brydall, *Camera Regis* (1676) and *The Present State of England* (1683), pt. iii, 109sq. This third part of *The Present State* is not very commonly met with, and is not by Chamberlayne, the author of the other parts. There is a large modern literature, including sir Walter Besant's *London in the Time of the Stuarts*, and R. R. Sharpe, *London and the Kingdom*. For a map see *Map of Seventeenth-Century England* (Ordnance Survey, 1930).

ward, and before the end of the century the aristocratic district of St. James's had come into existence, with its town houses of the nobility.¹ Several bishops, including those of Ely, Gloucester, Lichfield, and Lincoln, still retained official lodgings in the metropolis; at Lambeth and Fulham the archbishop of Canterbury and the bishop of London had their respective head-quarters.

Divided into twenty-six wards, the city was governed by a lord mayor, assisted by a recorder, sheriffs, a town clerk, a common serjeant (who acted as counsel for lord mayor and aldermen), and a deputy coroner and constables. The pageantry maintained by the lord mayor never failed to impress visitors; but his powers were no less than his pomp, for he was principal in the commission of felony in the city, a conservator of the Thames, chief coroner of London, chief butler to the king at his coronation, and chief magistrate of a capital city rapidly becoming a decisive power in European politics and international trade. Before the close of the Middle Ages, the city had accumulated a great number of privileges and customs. Thus the lord mayor and aldermen could make ordinances and by-laws; every shop was deemed a market except on Sundays and holy days; execution could not be levied on the husband for the torts of his wife trading as a merchant on her own account; and there was a special fund for the maintenance of the orphans of freemen. In order to enjoy full civic privileges, a man had to become free of a city company, which he might do in one of three ways: by birthright, if he were the son of a freeman; by service, that is by apprenticeship to a freeman; and by 'redemption', or order of the court of aldermen. The city suffered only one notable disability, namely, that it was the least adequately represented constituency; for it sent only four members to parliament, or about a tenth of the total number returned from Cornwall. On the other hand, Middlesex and Westminster each returned two members.

The Thames provided the most common avenue of transport, and, as the city was then spread out like an arc imposed on one of its banks, no point in it was far distant from the river. In 1676 there was said to be 2,000 men plying their wherries on the Thames. For some time these watermen had complained of the competition from hackney coaches, complaints with which the

¹ For this see A. I. Dasent, *The History of St. James's Square*.

government was in sympathy, because the watermen contributed to the personnel of the Navy, whereas the hackney coachmen were said to be worse than useless to the State, as their horses consumed provender, and their vehicles merely pandered to the comfort of the lazy; accordingly, one of the earlier Stuart proclamations had required that they should be used only for a trip of three miles or more.¹ But in spite of such discouragement, hackney coaches became an established feature of Restoration London, providing a more easy means of communication, and intensifying also the problem of street accidents. Streets were roughly paved; ditches, like the Fleet Ditch, were not railed off; in consequence, there were many upsets, and as pavements were narrow or non-existent, pedestrians were sometimes killed by coaches or drays. On these occasions the drivers were generally tried for manslaughter, of which charge they were usually acquitted, but their vehicles were sometimes confiscated as *deodands*.

Civic amenities were improved by a gradual realization of the need for scavenging arrangements. In 1662 an Act appointed commissioners for this purpose.² They were to meet at the Office of Works in Scotland Yard; they were authorized to make vaults, sewers, and drains, and for this purpose they were empowered to levy a rate. The same Act forbade the inhabitants to throw ashes or refuse in front of their houses, and ordered them to retain the rubbish until the scavengers arrived. These measures, coupled with the rebuilding after the Great Fire, prepared the way for the London of modern times, but the human occupants of the streets continued to give life and colour to the changing metropolis; for the alleys echoed with the strident calls of the vendors of 'small cole' or 'grand scissors'; there were men selling beef and women selling glass; occasionally a Scotch pedlar would penetrate to these recesses with his load of linen or cloth; but all these pursued their trade at the risk of being arrested for vagabondage or as forestallers of the market. In the shops of the Strand, Fleet Street, Ludgate, and Cheapside there was to be had an increasing variety of wares—pottery, musical instruments, tobacco pipes, barometers, clocks, guns, lacquered cabinets, and mathematical instruments, in addition to the miscellaneous wares classed as

¹ 1636, *Steele*, i. 1713.

² 14 Car. II, cap. ii.

haberdashery; there was also gold- and silver-ware, in which the standards of taste and workmanship were extremely high.

One illustration of the city's advance at this time is provided by the establishment of an intelligence bureau.¹ This office was at *The Pea Hen*, opposite Somerset House, and was conducted by one T. Mayhew, whose objects were to keep a register of the names of persons going beyond seas (so that fugitive husbands could be traced), to publish a list of lands and goods for sale, and to provide information where 'artists of all sciences' were to be found. By his organization and intelligence, Nonconformists and Papists would be unable to take themselves and their treasure out of the kingdom; soldiers and seamen might thus be prevented from serving foreign princes; runaway servants, as well as lost and stolen horses, would be restored to their masters. Mayhew proposed also to give information about new books, about curios and interesting sights, and clients in the country were to receive weekly bulletins, so that they could keep in touch with all that was stirring in the metropolis. It is not known how far this scheme succeeded in its avowed objects of keeping in their place all who wanted to leave it, and supplying the others with miscellaneous information. A similar scheme, proposed by a captain Douglas in 1688, was the establishment in London of a central office, open day and night, in control of a band of scouts patrolling the roads throughout the country. These scouts were to have authority to arrest deserters and highwaymen; the funds were to be provided by levies on the counties for every highwayman or deserter captured, and the profits of the enterprise were to accrue to its proposer.²

It was from London and the Court that fashion was dictated; but in the evolution of English society other influences have also played their part, and it should be remembered that Charles's Court was much more French than English. Accordingly, illustration of the characteristics of English society in the wider sense may be sought for outside Whitehall, and might be chosen from an infinity of subjects. The selection here adopted is intended to show points of resemblance as much as points of contrast between English civilization then and now; with this

¹ *The register's intelligence and advertisement office* (probably about 1680), in Bodley, *Pamph.* 276 a, ccxc.

² *Rawl. MS. A 171, f. 41.*

object, a choice has been made of these topics: sermons, coffee-houses, stage coaches, games and pastimes, health resorts, quack medicines, speculation and office-holding, and, finally, the literature of deportment.

Sermons have never been such an important institution in England as in Scotland; but during the Interregnum the standards of ecclesiastical oratory in the south were comparable with those in the north. It was because so many Cromwellians had been lay preachers that the Restoration statesmen kept a strict eye on sermons, since these had recent associations with republicanism; it was therefore concluded that a sermon was a good thing in the authorized place, namely the parish church, but elsewhere it was presumably dangerous. This explains why an unfortunate man was imprisoned for several months because he read printed sermons to friends in his own house.¹ Even over the conforming clergy some control had to be exercised lest they might be carried away by eloquence; and, after the passing of the Act of Uniformity (1662), Convocation addressed itself to the task of securing a general standard of reverence, decency, and order in churches. The result was a circular letter² enjoining rules for sermons, whereby pastors were adjured to assert the doctrine and discipline of the Church of England with 'modesty, gravity and candour', and to avoid abstruse and speculative notions, such as 'the deep points of election and reprobation'. Free grace and predestination, over which so much ecclesiastical blood had been shed, were therefore taboo; sermons thenceforth were to be catechetical rather than controversial; they were to emphasize the moral duties of the individual, as churchman and citizen, and not to perplex him with the intricacies of speculative theology.

But English academic education was still influenced by an older system in which lucid exposition might be sacrificed to dialectical subtlety. On the strength of an elementary knowledge of Latin syntax, many poor boys who might have been better employed as craftsmen were sent to the universities as sizarers where, instead of liberal reading, they encountered Aristotelian logic, a narrow range of classical authors, and a great mass of theological polemic. Accordingly, as priests, they sometimes pre-

¹ *Cal. S.P. Dom.*, 1664, 487.

² E. Cardwell, *Documentary annals of the church of England*, ii. 253.

ferred the pulpit to the lectern since, if Eachard¹ is to be believed, they were better at embroidering a text than pronouncing successfully the more difficult names of the Old Testament. When the reading of the lessons was left to some 'Ten or Twelve Pound Man' the discredit was complete; but congregations were not always very critical, and unintelligibility in the preacher was sometimes charitably construed as profundity.

If he springs forth now and then in high raptures towards the uppermost Heavens, dashing here and there an all-confounding word; if he soars aloft in unintelligible huffs, preaches points deep and mystical, and delivers them as dark and phantastical; that is the way of being accounted a most able and learned instructor.²

Of the styles of preaching, Eachard distinguished two, the familiar and the metaphysical, the former finding its similes in the wares of the general dealer (as in the famous Scottish example, 'O Lord, thou art a goose, aye dreeping'), the latter soaring high above earthly parallels, as in this example:³

Omnipotent All: Thou art only: because Thou art All, and because Thou only art. As for us, we are naught, but we seem to be, and only seem to be; because we are not; because we are but mites of Entity and crumbs of something.

The same truths were supposed to be expressed by the Presbyterian preacher thus:⁴

Lord, we know Lord, O Lord we do, that Thou Lord know'st good Lord, that we know nothing: and we thank Thee, O Lord, O Lord, I say with ingemination; we return Thee thanks that Thou hast been pleased of Thy great goodness and mercy to make us sensible of our Nothingness.

Eachard was guilty of exaggeration, but his strictures were not without effect, for they prompted the compilation of a practicable set of rules for preaching.⁵ The parson was advised to leave alone certain difficult things, such as obscure texts, or baffling problems, as how Adam who was created perfect came to be tempted, or abstruse books, as those of Daniel and the Revela-

¹ Eachard, *The ground and occasion of the contempt of the Clergy*.

² Eachard, *op. cit.* (1705 ed.), 33.

³ *Ibid.* 47.

⁴ *Presbytery truly displayed* (1680).

⁵ J. Arderne, *Directions concerning the matter and style of sermons*, 1671.

tion. This was good advice, because in that age many Englishmen and most Scotsmen had each his own interpretation of the more mystical books of scripture. 'Choose sermons suitable to the state of the people you address.' 'Choose words wholly English.' Divide the sermon into three parts—proposition, in which the text is laid bare; confirmation, in which it is illustrated and amplified; and finally inference, or the practical conclusions to be deduced, in which, it is hinted, a somewhat heightened oratory is permissible. It was well that the sermonizings of Charles's reign were tempered by the sarcasms of Eachard, by the instructions of Arderne, and by the example of Tillotson; for there were so many evidences of God's wrath—there were War, Fire, and Plague, there was unheard-of debauchery in high places, there were Presbyterians and Nonconformists, not to mention the Papists and the Whore of Rome—all of these such insistent themes of animadversion, that the pulpit cushion, from its weekly cuffings, was the one piece of church furniture totally devoid of dust. 'Throughout the reign of Charles, and especially during the Popish Plot, the sermon was one of the most potent influences on the masses, and the vogue of attendance on popular preachers increased. There was even an Anglican revivalist movement, when a renowned orator, the German-born Anthony Horneck, was induced in 1671 to preach at the Savoy, where his sermons were so thronged that his parish was said to extend from Whitechapel to Whitehall.¹ St. Michael's, Cornhill, was also much frequented by those who appreciated the earnest ministrations of William Smythies, and at the neighbouring church of St. Peter's could be heard the eloquent Beveridge, afterwards bishop of St. Asaph. These men were probably too disturbing for Pepys, who was an assiduous taster of the more mature vintages. Charles II showed sound taste in sermons, for he disliked 'wrangling about forms and gestures',² and appreciated the thoughtful discourses of the learned and pious Isaac Barrow.

In order to express his own views, the Coffee House was the best place of resort for the layman, since by assiduity of atten-

¹ For the influence of preachers on the growth of religious societies see G. V. Portus, *Caritas Anglicana*.

² Cf. Charles's letter to the archbishop of Canterbury, Oct. 1662, in Cardwell, *Documentary Annals* . . . ii. 253.

dance and eloquence of discourse he might there create for himself a niche almost as sacrosanct as the pulpit itself.

Coffee houses [it was said] make all sorts of people sociable; the rich and the poor meet together, as also do the learned and the unlearned. It improves arts, merchandize and all other knowledge; for here an inquisitive man that aims at good learning may get more in an evening than he shall by books in a month. He may find out such coffee-houses where men frequent who are studious in such matters as his enquiry tends to, and he may in short space gain the pith and marrow of the others' reading and studies. I have heard a worthy friend of mine who was of good learning (and had a very good esteem of the universities) say that he did think that coffee-houses had improved useful knowledge as much as the universities have.¹

But not all contemporaries were agreed on this point. In 1678 Anthony Wood, in answer to the question why serious learning had declined in Oxford, answered that it was due to the increase of coffee-houses and taverns, where seniors and juniors passed a great part of the day.² These two views are not incompatible, because while it is true that coffee-houses were responsible for great waste of time at the universities, they helped to open up a new world of speculation and inquiry to men not endowed with learning. In this process of levelling, they bridged the gulf which hitherto had separated the learned from the unlearned, and conferred on the humbler ranks of society an acquaintance with the terminology of debate, as well as a keen interest in public affairs.

It was for this reason that coffee-houses were regarded with disfavour by the government. As early as 1671 they were officially considered to be nurseries of sedition,³ and in 1675 an order for their suppression was issued.⁴ But the proclamation does not appear to have been enforced, and thereafter the government directed its energies to the exclusion of newspapers from these places of public resort. In September 1677 twenty coffee-house keepers were summoned before the Council for having admitted this literature into their premises; their licences were not renewed,

¹ J. Houghton, *Collection for the improvement of husbandry and trade* (1727 ed.), iv. 132.

² Wood, ii. 429.

³ *Cal. S.P. Dom.*, 1671, 581.

⁴ Dec. 29, 1675. Steele, i. 3622. By proclamation of Jan. 1676 their suppression was postponed till the following June, and their proprietors had to give security that they would not introduce scandalous papers.

and the king was highly incensed against these 'sordid mechanick wretches who, to gain a little money had the impudence and folly to prostitute affairs of state indifferently to the views of those that frequent such houses, some of them of lewd principles, and some of mean birth and education'.¹ A few years later, when petitioning was the method of appeal adopted by the unenfranchised, signatures were easily obtained at the coffee-houses, the rate, according to L'Estrange, being 4s. per hundred names.² So too, as party distinctions emerged, these houses reflected the politics of their patrons, the whigs favouring Kid's Coffee-house (the 'Amsterdam'), where the full-throated blasphemies of Titus Oates could be listened to, and the torics resorting to Jonathan's in Exchange Alley, and Gray's Inn Coffee-house.³ The government employed at least one coffee-house spy.⁴ It was in these schools that voteless Englishmen learned the rudiments of politics.

Like the coffee-houses, the stage-coaches⁵ had at first to face considerable opposition. There were many economic objections. As substitutes for riding, they caused loss to the trades of saddler and smith, never compensated by the demand for provender created by the coach horses; they were also held responsible for diminished Excise revenue because (it was argued) their passengers stopped at the inns less frequently than did horsemen. Their use was a symptom of effeminacy; they were also noisome and uncomfortable.⁶

What advantage is it to a man's health to be called out of their beds into these coaches an hour before day in the morning? to be hurried in them from place to place till one, two or three within night? Inasmuch that, after sitting all day in the summer time stifled with heat, or choked with the dust, or in the winter time starving and freezing with cold, or choked with filthy logs, they are after brought into their inns by torchlight when it is too late to sit up to get a supper, and next morning they are forced into the coach so early they can get no break-

¹ H. Thynne to T. Thynne, Sept. 19, 1677, in *Add. MS.* 32095, f. 38.

² R. L'Estrange, *Citt and Bumpkin in a dialogue over a pot of ale* (1680).

³ Sitwell, *The First Whig*, 126.

⁴ Dangerfield (Sitwell, *op. cit.* 126). For the subject generally see J. Walker, *Secret service under Charles II and James II*, in *Trans. R.H. Soc.*, series iv, no. xv.

⁵ For this subject see Joan Parkes, *Travel in XVIIth-century England*.

⁶ *The grand concern of England explained*.

fast. What addition is it to men's health or business to ride all day with strangers, oftentimes, sick, ancient, diseased persons, or young children crying, to whose humours they are obliged to be subject, and many times are poisoned with their nasty scents and crippled by the crowds of boxes and bundles? Is it for a man's health to travel with tired jades, to be laid fast in the foul ways and forced to wade up to the knees in mire, and afterwards sit in the cold till teams of horses can be sent to pull the coach out? To travel in rotten coaches, and to have their tackle, or perch or axle tree broken, and then to wait three or four hours, sometimes half a day to have them mended again? Is it for the advantage of business that a man when he sets out on a journey must come just at their hour or be left behind?

There was little effeminacy about such a method of travel. It displaced riding and sailing as a means of penetrating to provincial England. The mails were carried at the rate of 2*d.* for one sheet up to 80 miles, and it was possible for a passenger to travel from London to Exeter, Chester, or York in from 3 to 5 days at a cost of about 40*s.* in summer and 45*s.* in winter.

For long, this method of transport was impeded by the unsatisfactory state of the English roads. Local responsibility for their repair and upkeep was introduced by a statute of 1555, which required every parish to appoint two surveyors,¹ but numerous indictments at Quarter Sessions show that this statute was frequently ignored. An Act of 1662 empowered the surveyors to levy an assessment of 6*d.* in the £1 on real property, and required that narrow roads should be widened to a width of 8 yards.² In the following year was passed the first Turnpike Act, whereby toll gates were established in the counties of Hertfordshire, Cambridgeshire, and Huntingdonshire, but the tolls were easily evaded;³ indeed the multiplicity of regulation and indictment suggests that the upkeep of the roads was neglected, a deduction confirmed by records of travel, which show that many of the chief highways were frequently impassable, and that elsewhere communication was maintained by tracks and paths. Even in comparatively populous counties, such as Sussex, the ruts were so deep that it was impossible to drive in double harness;⁴ sometimes

¹ For the roads see S. and B. Webb, *The King's Highway*.

² 14 Car. II, cap. vi.

³ 15 Car. II, cap. i; see also Jackman, *Development of transportation in modern England*, i, ch. 2.

⁴ Grey, i. 233.

gravel would be dug from a road by a farmer, leaving a pit which, after heavy rains, would fill with water and engulf a whole horse and cart. The old maxim 'Bad for the rider, good for the abider' summarized the association of sticky roads with good soil. These things made travel a matter not of daily habitude, but of almost pioneer adventure. There were also the terrors of darkness and highwaymen. At Wokingham a bell was rung at night in order to guide travellers to the town, and at Maidenhead the parson received a supplement to his stipend because his duties required him to pass a thicket frequented by highwaymen who infested the Bath road.¹ The commercial and social development of England was for long impeded by the unsatisfactory condition of the roads.

Stage-coaches, by diminishing the necessity for outdoor exercise, may have helped to impress on Englishmen the value of games; but these did not play the same part in national life as they do to-day, when fewer drugs are used, and there is a more general appreciation of the efficacy of fresh air and cold water. There had long been, however, a recognition of the need for exercise; 'any exercise whereby sweat is procured is good. . . . Old men must walk while they are able'—such was the advice of a medical writer in the earlier part of the century.² Of distinctively open-air exercises (in addition to riding) there was hunting of the stag, buck, boar, otter, fox, and hare, pursuits now coming to be monopolized by the gentry, under the protection of the Game Laws, and with the help of a new functionary—the Gamekeeper.³ Fowling, with nets or guns, could be engaged in throughout the land, for on the coasts were the chough, the gull, the puffin, and the gannet, and in marsh lands were to be found the hoop, the dotterel, the wild goose, and the bustard.⁴ These occupations at least habituated their votaries to the open air, an advantage thus described by a huntsman:⁵

What innocent and natural delights are they when he seeth the day breaking forth those blushes and roses which poets and writers of romances only paint, but the huntsman truly courts? When he heareth the chirping of small birds pearching upon their dewy

¹ *V.C.H., Berkshire*, ii. 214.

² W. Vaughan, *Directions for Health*, 1633.

³ 22-3 Car. II, cap. xxv.

⁴ *Present State of England* (1683), pt. iii. 21.

⁵ N. Cox, *The Gentleman's Recreation* (1677).

boughs? When he draws in the fragrant and coolness of the air? How jolly is his spirit when he suffers it to be imported with the noise of bugle horns and the baying of hounds, which leap up and play round about him.

In highest repute was Angling, the contemplative man's recreation, the pastime which attracted to the backwaters some of the finest spirits when they wearied of the heat and noise of the highway. English fishermen had reason to be proud of their rivers, for nowhere else could be found streams so varied or accessible, reflecting on their surface a landscape in which quiet gradations of colour mingled harmoniously with the forms of mill, or bridge, or spire. In John Taylor our waterways had a poet whose inspiration, it is true, was dilute, but his love for the stream was sincere. Fish abounded in these unpolluted sources and may have been less shy of artificial bait, for anglers might then easily acquire

that good fashion,

Not to catch fish with oaths, but contemplation.

The noble Trent, with its thirty distinct kinds of fish, was hailed as 'Great Britain's Hellespont' by one who loved the mellow quiescence of its then secluded stream—'Heaven and Earth', he wrote¹ of the Trent landscape, 'are here correlates, which duly to contemplate poises our passion and baffles our pride.' For the true devotee, angling was almost devotional; his attire was not to be light or dazzling,² but 'sub fusc'; and whether baiting his hook or watching his float, he must consider himself the exponent of a semi-mystic cult. Was not the first English writer on Angling a nun?³ Were not four of the twelve apostles fishermen? 'Angling is an art', wrote Izaak Walton, 'and an art worth learning; the question is whether you be capable of learning it.' The personal requirements were exacting, for the true angler must be 'a generall Scholler and well seene in the liberall sciences. He should have sweetness of speech, strength of arguments, knowledge in the Sun, Moone, and Starres. He should be a good

¹ R. Franck, *Northern Memoirs* (compiled in 1658, published in 1694), xxiii.

² N. Cox, *op. cit.*, iv. 7-12.

³ Dame Juliana Berners, *The art of fyshynge with an angle*, first printed in 1496 by Wynkyn de Worde. For the question of Juliana's authenticity see an excellent article, s.v. 'Berners' in *D.N.B.*

Knower of countries.¹ Neither the educational ideals nor the methods of travel in vogue to-day are favourable to the development of such aptitudes, and as civilization advances men become less knowledgeable in streams.

With persons of 'promiscuous quality' ball games were popular. Cornishmen, distinguished for their skill as wrestlers, were noted also for their 'hurling play', which was conducted thus.² Having chosen twenty to twenty-five for each side, and having selected suitable objects to serve as goals, one of the players came forward with a leather ball, small and hard, which he tossed into their midst. The player who caught it rushed towards the enemy goal, wrestling with opponents on his way, or throwing the ball to one of his own side. This game was therefore not unlike our modern 'Rugger', but it was possibly even more strenuous, because there were mounted horsemen on the field, whose stirrup a player might seize and be pulled along at a breakneck pace. A church was sometimes used as a goal; sometimes also the teams were very large—as many able-bodied men as the village could produce. Parish played against parish; but the great sporting event of the west was the match between Cornwall and Devon, when the best efforts of the Cornishmen were stimulated by the fact that they were playing against 'foreigners'.

Other pastimes included Archery and Bowls, the former often coupled with Fencing as an essential part of a gentleman's education; while the latter, so far from being considered a sedate game, was then said to cause expenditure of time, money, and curses—'a school of wrangling' was a contemporary's³ description of a bowling alley, where men, after contorting their bodies into extraordinary shapes, argued themselves hoarse over a hairsbreadth. On the other hand, Billiards was 'a gentle, cleanly and most ingenious game', played with a short, bent cue, raised over the shoulder,⁴ and there were few towns of note without a billiard table. Tennis was popularized by the strenuous example of Charles II, who built new courts at Whitehall; there were courts

¹ *The Secrets of Angling*, by J. D. Esquire, 1613 (in *Bibliotheca Curiosa*, xxvii. 1886).

² There is a contemporary description by J. Ray in his *Memorials* (1846 ed.), 193-4.

³ *The Compleat Gamester* (1680 ed.), 35.

⁴ *Ibid.*, the woodcut illustration.

also at the Gaming House in the Haymarket.¹ In a different category is Cockfighting, which then enjoyed the national pre-eminence since accorded to fox-hunting, the hound among beasts and the cock among birds being considered emblems of English valour; and there was even an attempt to introduce Bull Fighting, but in the agitation which followed the Rye House Plot the scheme lapsed.² For Hobby Horses a utilitarian value was claimed by a showman named Wells, who established his 'Academy' in the fields between Leicester Square and Soho. Here was provided entertainment from morning to night; on the artificial horses in perpetual motion a man might learn to ride, to shoot a pistol, to carry a lance, to run at the ring, and, in fact, acquire all the accomplishments taught in the academies of the nobility. The price of admission was one shilling, and there were several sorts of musical instruments 'befitting the subject'.³

Outdoor games and fast days benefited national health, but the latter were ceasing to be observed; and, as society developed, increasing resort was made to mineral spas,⁴ notably Bath, Epsom, and Tunbridge. Not all the visitors went for their health; for example, at Tunbridge the groves and the feminine fashions were among the attractions:

The Grove dos cast an advantagious gloome,
And nothing of their wardrobe's left at home.⁵

The waters of Bath were supposed to be good for the figure, and were patronized by the more prominent ladies of Charles's Court when personal influence was found to fluctuate with physical outline. Epsom waters were laxative. Those who believed in sulphur visited Harrogate, where the water was brought into private rooms by servant girls whose faces 'shone like bacon rine—the sulphurous waters had so fouled their pristine complexion'.⁶ Other places, such as Astrop in Northamptonshire, Enstone in Oxfordshire, and Brill in Buckinghamshire, have lost the old

¹ J. Marshall, *Annals of Tennis*, 90.

² *P.C. Reg.* 70, July 25, 1683.

³ The prospectus is in *Bodley, Wood*, 276 a, cxxxiii.

⁴ For a full and interesting account see R. V. Lennard, *Englishmen at rest and play* (1931).

⁵ *Add. MS.* 34362, f. 86.

⁶ Baskerville, *Journey*, in *H.M.C. Rep., Portland MSS.* ii.

reputation of their waters. At the more fashionable resorts a strange medley congregated, for instance at Tunbridge Wells.

Loretto was scarce haunted with such swarms of pilgrims as our health-restoring places, nor Rome more crowded in a Jubilee than we were. Three families not seldom dwelt in one chamber scarce as big as a taffity tart, and lovingly pigg'd it together. Strangers from remote regions came in guilt coaches. We shall never forget these jolly days, how we have been frequented by the noble and the gay, the fine and the fair, the roaring fopps and the still, sly formal cockscombs; the swaggerers in buff and the venerable in satin; the flaming lassies and the simpering dames, those that help others and those that help themselves, the witts and the jilts, the fond husbands and the more foolish maintainers, the miserly fathers and the generous sons and the free sporting daughters, the hectoring bullies and the snuffing precisian, the long hair and the over-grown ears, Whigg and Tory, Trimmer and all were every mother's son our constant customers.¹

The popularity of the Spa helped to change the traditional attitude to cold water; but old prejudices died hard,² and the majority of Englishmen maintained a conservative attitude, avoiding complete submersion except in very special circumstances, or when exceptional results might be expected therefrom. Baths and bathing had been sources of immorality in pagan times, and were roundly denounced by the best medieval opinion; accordingly, when consulted on these things, the College of Physicians counselled strict precautions against their abuse.³ To salt water the objections were even more serious. No one wanted to live by the sea; for its air caused agues, dropsies, rheumatism, and 'consumption', due to the 'saline effluvia';⁴ nor did normal persons bathe in the sea, though a few pioneers were starting the cult. Since the days of Anglo-Saxon literature the sea had disappeared from the sources of literary inspiration; for it was scarcely known to landsmen, even poets; nor, after Canute, did the sea-shore interest any of our kings until George III, by frequenting Weymouth, inaugurated the era of coast resorts. Thus the appeal of the sea, like that of the mountain, is of comparatively modern date.

¹ *An exclamation from Tunbridge . . .* (1684), in *Bodley, Ashmole*, F. 5. cix a.

² But see R. V. Lennard in *op. cit.* 73 sqq.

³ *H.M.C. Rep.* viii, app. 230, *MSS. of the College of Physicians*.

⁴ C. Leigh, *Natural History of Lancashire* (1700), 6.

After all, the spa could have been frequented by only a small part of the population, and so a much wider appeal was made by the sale of quack medicines, a trade of venerable antiquity, based on a knowledge not of the human body but of human psychology. The invention of printing, the development of newspapers, the increasing proportion of sedentary occupations, and the use of a more ample and varied diet all helped to foster the business both of the qualified physician and his charlatan rival; and it was in the reign of Charles II that the widely advertised secret remedy established itself as an institution. Advertisements of these concoctions show a sound knowledge of the basic principles of quack publicity. To quote a few examples. The 'Never Failing Cordial' of T. Hinde¹ was 'agreecable to nature'; for its operations were performed 'as nature would have it'. It had cured its inventor, who was now anxious both to share his good fortune with his fellow men, and to warn them against imitations. Suitable for every constitution, the Cordial dispelled gout, stone, gravel, 'melancholy drooping spirits', surfeits, vapours, coughs, colds and wheezings; it could be taken by a child; and the cost was only 3s. per half pint. The advertisement was accompanied by a list of persons (with addresses) who had been cured. A somewhat truculent advertisement was that published by Charles Peter 'the surgeon' from his Bathing House in St. Martin's Lane.² Mr. Peter announced that his authority was quite sufficient to guarantee his Cordial Tincture or, indeed, anything else; moreover he had been cured by it, and was influenced only by motives of benevolence. His Tincture was a sovereign remedy for all the usual complaints. 'Take seven or eight spoonfuls as soon as the fit takes you, and if you have not ease in half-an-hour take seven or eight spoonfuls more, and then depend upon it.' This remedy therefore worked by faith and perseverance. It was best combined with a visit to Mr. Peter's bathing establishment, where the patient was advised to prepare for the waters by taking a good dose, followed by another after the bath 'to remove ill effects'.

But these nostrums were insignificant in comparison with the 'True Orvietan' discovered by Cornelius à Tilbury and sold by His Majesty's special licence. Cornelius, a worthy descendant of

¹ Advertisement in *Bodley, Wood*, 276 a, xxxiii.

² In *Bodley, Ashmole*, 1036, iii.

that Alexander of Abonuteichos immortalized by the satire of Lucian, set a high standard in his profession. According to his own account¹ he swallowed a large dose of poison in the royal presence and then took a dose of his Orvietan, with such satisfactory results that Charles appointed him one of his surgeons-in-ordinary (presumably without salary). Nor was royal patronage the only advantage which Cornelius could boast over his rivals; because his remedy could be used for the diseases of cattle as well as of human beings, and as it stifled poison, so it must stifle disease. The popularity of such remedies disturbed both physicians and apothecaries, who complained in 1670 that 'crowds for the most part follow quacks';² but this was not surprising, since medical science was still comparatively undeveloped, the surgeons had not long been separated from the barbers, nor the apothecaries from the grocers. Moreover there were so many rival schools of opinion that the layman was perplexed. Wherever a patient did resort to both physician and apothecary, his death would often be the subject of dispute between these two; but if he survived, he might well provide one more proof of the robustness of the human body.

Quack medicines have here been quoted not as an extraordinary feature in English life, but as a normal one. Another perfectly normal characteristic was speculation. The cautious man would either hoard his savings, or deposit them with the Goldsmiths; or, if he were more venturesome, he might invest in one of the great chartered companies such as the East India Company. He was even invited to lend money to the State, but events did not always show this investment to be a sound one;³ nor, until the reign of William III, did the government succeed in establishing public confidence in national loans. Meanwhile there were two gambles for the speculator, sharply contrasted in the demand which they made on his patience—the Tontine and the Lottery. The first of these was invented about the middle of the century by an Italian named Tonti, and was on several occasions adopted by the French Treasury as a source of revenue. Briefly, the scheme was as follows. Groups were formed, composed of men or children, the ages within the groups being nearly equal; each member of the group subscribed the same sum, or was credited with a sum sub-

¹ *Bodley, Ashmole*, xxii.

² *Ibid.* xxxii.

³ *Infra*, ii. 442-9.

scribed by a parent or friend; in this way, the State immediately received a sum of ready money. The capital did not have to be paid off until only one survivor of the group remained, when the whole sum, with or without interest, was paid to him, either in a capital sum or in an annuity. So far therefore as the State was concerned, the critical moment was postponed as long as humanly possible; from the point of view of the investor, the critical moment came when he was left competing with only one other rival, by which time the interest of the gamble was likely to have been transferred to his sons or nephews. Tontines for young children were rendered particularly speculative by the high rate of infantile mortality. The formation of such tontine groups was recognized in the National Debt as organized by Charles Montagu in 1692, but in Charles's reign they were private or civic gambles, one example of the latter being the scheme approved in 1674 by the lord mayor and council of the city of London.¹ In this tontine, subscriptions of not less than £20 were invited, subscribers to be arranged in ranks, according to age; the youngest rank was from 1 month to 7 years, the oldest from 63 to 70. Six per cent. interest was paid, and as members of each rank died off, their shares were transferred to the survivors, until the last survivor took all the stakes. 'What is the hazard of losing £20', asked the author of the prospectus, 'in comparison to the great advantage that may be obtained by survivorship?' By having a plunge in a tontine, family affection, it was alleged, would be strengthened, for relatives would now cherish each other all the more—'in taking the greater care of preserving their mutual healths'. In effect, therefore, a new crime was invented, namely that of keeping alive an aged relative when he ought to be dead. Nor was this all; for if one's own chances in the contest seemed slight, one might make the investment on behalf of a suitable person, preferably one of 'a temperate and sober conversation', likely to prove a winner in the longevity stakes.

The advantage of the lottery was that the gambler did not have to wait so long for the result. A monopoly of lotteries was assigned at the Restoration to the Loyal and Indigent Officers, as a reward for their devotion,² but in practice the profits of these speculations

¹ *Proposals for subscriptions of money*, 1674, in Bodley, G.P. 1119.

² *Infra*, 164.

appear to have been captured by enterprising members of Charles's Court. The government did its best to popularize lotteries. Secretary Williamson sent repeated requests to the corporation of Bristol for permission in favour of licensees to exercise their monopolies at local fairs; in one instance, the civic authorities, in signifying their assent, insisted on excepting the Royal Oak lottery which, it was said, 'broke half the cashiers in Bristol at its last visit'.¹ Pepys attended a lottery in which many who risked £10 received only a pair of gloves, but their hopes were stimulated when a more fortunate investor won a suit of hangings valued at £430, 'or near it'; and a financier insured about 200 persons against drawing blanks by charging a premium of 1s. per person.² In 1682 the jewels of prince Rupert's estate were disposed of by a lottery, Francis Child acting as trustee, but by then the public had become suspicious of these devices for raising money, and it was not till the reign of William III that some degree of honesty was introduced into the exercise of this government monopoly.

A lottery [wrote sir William Petty] is a tax upon unfortunate, self-conceited fools. . . . Because the world abounds with this kind of fool, it is not fit that every man that will may cheat every man that would be cheated, but it is ordained that the Sovereign should have the guardianship of these fools, or that some favourite should beg the sovereign's right of taking advantage of such men's folly.

In other words, this means of raising money was part of the crown's prerogative custody of idiots.

There were other and more genteel methods of speculation. Most dignified of all, for either sex, was the well-planned marriage; here the desideratum was generally an estate in an eligible part of England. One reason why Evelyn disliked the suit of sir Gilbert Gerrard for his daughter's hand was that most of the suitor's estate was in coal pits, some of them as far off as Newcastle; moreover, these pits were on lease from the bishop of Durham, who might grant concurrent leases.⁴ So too, the mar-

¹ J. Latimer, *Annals of Bristol*, 327. The Royal Oak lottery was said to be a swindle; see J. Ashton, *History of English lotteries*, 32 sqq.

² *Pepys*, July 20, 1664.

³ Petty, *Treatise of taxes and contributions* (1667), ch. viii.

⁴ *Evelyn*, March 1, 1686.

guess of Huntly was not considered a good match for the daughter of an English peer, because the Scottish marquess had an estate of only £1,500 per annum, 'all in oats and sheep', and as his house was in the wilds of Scotland, four days from Edinburgh, the lady was 'condemned to that sad place for ever, a strange disposing of a handsome lady'.¹ There was also the practice of securing or granting a life annuity by private negotiation. The great lord Halifax did considerable business of this nature, his usual terms² being nine years purchase for a man of 26. One proposal made to him in 1677 was that of a person aged 47, with a wife of the same age who offered £1,500 for £200 per annum for their joint lives; on the death of one, the survivor to receive £100 per annum, 'which is the considerable part of the bargain'. Some members of the Manners family entertained similar proposals; £1,600 on a life of 52 for £200 per annum, and £4,000 for £500 per annum on a life of 56 were among the offers.³

This element of speculation predominated in several spheres from which it is nowadays excluded. It was to be found in most offices, which were often valued not for their salaries, but for their perquisites and indirect facilities for making gains; moreover, a government might make money by creating new offices and selling them, a practice never so common in England as in France, where it became almost a normal means of raising revenue. Nevertheless it was not unknown in this country. Thus, for the sale of coal, Charles appears to have appointed twelve 'coal-meters', who had purchased their places by paying a twelfth 'of the benefit of their coal meting'. In 1663 he appointed three more, with the consent of the lord mayor and aldermen of the city of London, to whom he gave his assurance 'on the word of a king' that no more coal-meters would be created, and that the salary of those already appointed would be guaranteed by the revenue from coal, the sale of which was increasing rapidly.⁴ In some of the higher offices, there was an element of purchase and sale. Thus, outgoing secretaries of state generally required a large price from their successors; even judges were not above suspicion,

¹ Lady Chaworth to lord Roos, Oct. 19, 1676, in *H.M.C. Rep.* xii, app. v. 30, *MSS. of the Duke of Rutland*.

² *Savile Correspondence (Camd. Soc.)*, 58.

³ *H.M.C. Rep.* xii, app. v. 23.

⁴ *Cal. S.P. Dom.*, 1663-4, 79.

and in 1676 there was fastened to the gates of Westminster Hall a sarcastic notice that several judges' places were to be sold, for which tenders from young lawyers were invited.¹ Pepys was told by his master Sandwich that 'it was not the salary of any place that did make a man rich, but the opportunity of getting money when he is in place'.² An illustration of this principle is provided in the written contract³ whereby the diarist secured from Povey a lease of the office of treasurer to the commissioners for Tangier. Of this post the nominal fee was £300 per annum, but from one source and another, including the payments to contractors for building the mole, 'certain consideration hath been and probably will be continued to the treasurer'. Povey was to resign the exercise of this office to Pepys, reserving for himself four-sevenths of these 'rewards or considerations', the other three-sevenths passing to Pepys, who undertook to keep his partner informed of all matters relating to Tangier. The effect of this agreement appears to have been that for all practical purposes Pepys stepped into Povey's shoes, so far as the office was concerned, but was bound to pay to his sleeping partner a portion of the spoils. But in 1672 Povey complained that the diarist had not carried out his part of the bargain; nor did Pepys's 'tedious accounts' satisfy Povey that all the commissions paid by the contractors had been accounted for, and so an acrimonious correspondence followed.

It should be recalled, however, that, especially in the departments of the secretaries of state, many payments were made to officials which to-day would be effected by means of government stamps or fees; hence perquisites were often an essential and legitimate part of a government servant's salary. This fact may have influenced the Commons when (in 1675) they rejected a Bill incapacitating members of parliament from holding office during the sitting of parliament; for it was contended that the proposed measure would change the constitution from a monarchy into a commonwealth, and that the service of the crown would be made incompatible with service in parliament.⁴ A similar fate overtook two Bills intended to effect improvement in office-holding; one,

¹ *H.M.C. Rep.* vii, app. 494.

² Quoted in R. G. Albion, *Forests and Sea Power*, 48.

³ *Rawl. MS.* A 172, f. 100.

⁴ *Parl. Hist.* iv. 695-8.

of 1667,¹ would have imposed on holders of offices pertaining to parliament and the courts of justice an oath that they had not given any consideration for their offices; the other, a Bill² of 1678, was designed to prevent the lord treasurer, the commissioners of the Treasury, and the lord lieutenant of Ireland from making any undue advantage of their places. These illustrations suggest that an office was then regarded not as a place of trust, but rather as a freehold, capable of a lease or a reversionary interest, and forfeitable only through gross neglect, in the same way as the right to vote, whether for a scholar or fellow of one's college, was often considered a right, for the exercise of which a money payment might sometimes be expected. If modern civilizations have sacrificed many of the theological convictions which pervaded the whole life of the past, they may yet have acquired some compensation in the greater sense of personal responsibility which characterizes the public life of to-day.

The above topics have been cited to prove the comparatively high level achieved by English civilization in the later seventeenth century. That society in the widest sense was habituating itself to the greater amenities available for its use is shown by the rise of a type of literature to be found only when humanity has reached a high degree of sophistication—the literature of deportment. If the courtesies of good society had not been acquired by training in early life, they might now be learnt from books; accordingly there were published a number of manuals (some of them translations from the French) intended either to equip the studious aspirant for the performance of a particular vocation, or to guide his conduct on the thousand-and-one occasions when good breeding can be distinguished from bad. As many of these were written specially for women, they help to illustrate the status assigned to the female sex.

Of the vocational type of guide an example is *The compleat servant maid, or the young maiden's tutor*, of which the fourth edition was published in 1685, a book which showed how highly skilled and responsible were the duties of domestic service when adequately performed. The accomplishments required of the woman who wished to be a waiting gentlewoman to a person of quality

¹ *H.M.C. Rep.* viii, app., pt. i. 112. Sale of Offices Bill, Oct. 23, 1667.

² *Ibid.*, *Rep.* xi, app., pt. ii. 119.

were five in number: to dress suitably, to be skilled in the art of preserving perishables, to write a legible hand, to have skill in arithmetic, and to carve well. For each of these were provided explicit instructions, and the successful student of this book must have been a very superior member of the household; for she had to be courteous and modest, humble and submissive, sober in countenance and discourse, able to write in both Roman and Italian hand, qualified in both addition and 'subtraction', a reader of good books and an attentive listener to sermons; varying the daily bill of fare by selection from such edibles as turkey, goose, beef, marrow pie, veal, game, neat's tongue, duck, rabbit, fried oysters, with the accompaniment, in season, of asparagus, 'sallets', strawberries, and artichokes. In addition to this, she must know how to disjoint a quarter of lamb, to display a crane, unbrace a mallard, wing a partridge, disfigure a peacock, thigh a woodcock, and lift a swan. Few could hope to reach such a level of accomplishment; but though the book was obviously intended for the class now known as lady-housekeeper, a ray of hope was directed to a very different stratum of society—the 'under cook maids'. These domestics, if they desired preferment, were advised to watch the cook, so that they might qualify themselves in cookery, and thus improve their station in life; for, as it was truly remarked, 'everyonc must have a beginning'.¹

In general, women were advised to content themselves with their domestic and family duties, virtue and modesty being the characteristics most befitting their sex; moreover, as there were no facilities for divorce, a greater demand was sometimes made on the virtue of resignation. 'Every young lady should be like the watch in her pocket; if it be not wound up morning and evening, it is false and unprofitable.'² Among the books specially recommended for their reading were Artemidorus's *Interpretation of Dreams*, Sidney's *Arcadia*, Taylor's *Holy Living and Holy Dying*, and a lurid old compilation entitled *God's revenge against murther*. It may be noted that the women of Restoration England were distinguished more for the latitude of their orthography than of their reading, but on the other hand their domestic duties were often more extensive than those of to-day; for these included a

¹ *The compleat servant maid* (1685 ed.), 135.

² *Youth's behaviour or decencie in conversation* (1661), pt. ii. 192.

knowledge of spicery, the distilling of perfumed waters and cordials, candying and preserving, dairying and spinning; moreover they were expected to have an elementary skill in surgery and physic. Some women were credited with 'a strange sagacity as to the curing of wounds', acquired not by the precepts of books, but by 'excogitancy'. An example was the wife of William Houlder, who (when his surgeons had failed) cured Charles's injured hand by the application of a poultice.¹

In the guides to deportment, women of honourable descent were counselled, when in difficulty, to bear in mind their lineage, and to ask of any proposed course of conduct: 'is this according to the laws and rules of honour?' or: 'according to the example of so many excellent ladies from whom I am descended?'² Thus the responsibilities entailed by good birth were wisely insisted upon. So too, in her relations with the other sex, the lady was adjured to preserve strict modesty. If a spinster entered into company, she was to curtsy twice, and, if women were present, she was to offer her respects in some 'quaint compliment'; but if she were alone with men, then the initiative fell to the other sex. For such occasions, models of opening conversations were provided, according to the needs or intentions of the male. If he were a suitor, he might elect to play a *giuoco piano* game, with such an opening move as one of these: 'I wish you all joy and prosperity', or 'I am Your Ladyship's most affectionate servant'; but a more daring player would choose one of the gambits: 'I am an honourer, I wish I could say an imitator of your vertues', or the still more hazardous 'I bless the moment that gives me an opportunity to enjoy your company'. With a widow, fewer moves were required 'once the ice is broke'.³ Such manuals, containing also directions for carving and for the interpretation of dreams, could be obtained at the shops on London Bridge.

2. SOME CLASSES OF SOCIETY

For the purpose of this section a selection has been made of the following: prisoner, pauper, vagabond, merchant and tradesman, lawyer, parson, peer, and king.

¹ *Aubrey*, i. 405.

² *New additions to youth's behaviour*, ch. 33.

³ These examples are from *Rules of civility or the art of good breeding* (Bodley, Wood, 6a).

The prisoner. English prisons have no historian, but glimpses into life in seventeenth-century gaols may be obtained from contemporaries, especially from Quakers who suffered imprisonment. George Fox thus describes the experiences of convert: In the year 1655 he was committed to Colchester Castle, where he endured great hardships and sufferings, being put by the cruel jailer into a hole in the Castle wall, called the Oven, so high from the ground that he went up to it by a ladder which, being six feet too short, he was obliged to climb from the ladder to the hole by a rope that was fastened above. And when Friends would have given him a cord and basket to draw up his victuals, the inhuman jailer would not suffer them, but forced him to go up and down by that short ladder and rope to fetch his victuals. At length his limbs being much benumbed by lying in that place, yet being constrained to go down and take some victuals, as he came up the ladder again with his victuals in one hand and caught at the rope with the other he missed the rope and fell down from a very great height upon the stones; by which fall he was exceedingly wounded in his head and arms, and he died a short time after.¹

But not all contemporary references to prison life are quotable. Nor were the prisoners invariably of a hardened type, likely to endure their surroundings with equanimity; for many were prisoners for debt, with no hope of release until the debt was paid, while others were political or religious dissentients. But before the end of the century there was printed one of the earliest pleas for prison reform—*The Cry of the Oppressed*,² by Moses Pitt, a book containing a collection of evidence from men who had experienced imprisonment.

The only respect in which the legislature attempted to provide amelioration was in favour of prisoners for debt. In 1670–1 a measure³ was passed which rehearsed that, by reason of the recent calamities, so many were in prison, and so noisome was their condition that they were likely to spread plague and disease. Accordingly, the statute enacted that justices might summon imprisoned debtors, and tender to each an oath that he was not worth more than £10 in real or personal estate. If the debtor took the oath, then notice was to be served on the creditor to appear at the next Quarter Sessions when, if the truth of his

¹ *Journal of George Fox* (Everyman ed.). 90.

² 1691.

³ 22–3 Car. II, cap. xx.

certificate was uncontested, the prisoner might be released without fee. Alternatively, if the creditor insisted that his debtor should remain in prison, the former was to provide an adequate weekly allowance for the continued maintenance of the latter in gaol. This Act also required that prisoners for debt should be kept separate from felons, because (as the statute rehearsed) in Newgate and elsewhere many distressed gentlemen and tradesmen were kept awake at night by the foul language of felons and the clanking of their chains. Lastly, the Act ordered that investigation should be made into what charitable legacies and bequests were available for imprisoned debtors, a list of which was to be hung up in every gaol. Thus, even to that most impersonal of all historical sources, the Statute Book, there penetrated some hint of what the prison walls concealed.

There was still an element of private ownership in the management of many prisons, some of which were conducted as speculative enterprises. A gaoler might be possessed of the freehold of his premises, and for that reason might try to elude the supervision of the county which, not being a body politic, had no remedy at law; in practice, however, there appears to have been a compromise between the keeper as lessee of the king, and the sheriff as custodian of the county.¹ The keeper had also his regular fees; he might easily make a profit on the food, and he could expect a substantial ransom for each prisoner exported to the plantations. For instance, when a rich Jamaican planter, Christopher Jeaffreson, went to London in 1681 for a supply of convict labour he knew that the supply would be plentiful; but he had to pay 40s. to 50s. to the chief gaoler of Newgate for each of the 300 convicts allowed him, a sum shared with the Recorder of London and the keepers of other prisons from which supplies were obtained.² Moreover, there were great differences in gaols and gaolers. Among the latter was one lady of title—Mary, lady Broughton, keeper of the King's Prison of the Gateway in Westminster; so too there was the comparatively comfortable Fleet prison, 'a caravanserai kept by a landlord who was a life tenant',³

¹ *H.M.C. Rep.* viii, app. 150, Worcester Gaol Bill, in *MSS. of the House of Lords*.

² J. C. Jeaffreson, *A young squire of the seventeenth century* (1878), 141.

³ *The Economy of the Fleet* (*Camd. Soc.* 1879), Introduction.

wherein rooms were shared by only two or three persons, and the women had a department of their own. Accommodation could be had in this prison for twopence per night; there was also a beggars' ward and a dungeon for the refractory; in this penal hostelry life may not have been unlike what was afterwards experienced there by Mr. Pickwick. But the Fleet was exceptional; for elsewhere there were hard usage and intolerable conditions, as well as the exaction of exorbitant fees, this last a frequent subject of complaint from county gaols. In reply to such a petition, the Shropshire magistrates¹ ordered a list of authorized fees to be hung up in the premises.

The pauper. Elizabethan legislation had laid down the foundations of a system of poor relief; important additions were made by the Acts of 1662² and 1666-7.³ By the former of these Acts, the justices were authorized to remove to his place of last settlement any one coming into a tenement worth less than £10 per annum who seemed likely to fall on the rates, place of last settlement being defined as the parish where the immigrant was last domiciled as a servant, apprentice, householder, or sojourner for the space of forty days. This was an old principle, still enforced by the authorities of many corporate towns. In the preamble to the Act it was alleged that, taking advantage of the Poor Law system, people were in the habit of moving from one parish to another where there was the best stock, or the most extensive commons, on which to build cottages; such men, having consumed the stock, moved on to the next parish offering similar advantages, and so a race of sturdy vagabonds was growing up. No evidence has ever been adduced in support of this contention; indeed the preamble to the Act attempted to prove too much; because if vagabonds settled in cottages, that alone was likely to restrain them from roving. Moreover, the Act was specially unjust because, while purporting to inhibit rogues and vagabonds, it really penalized the poorer type of cottager, and so helped to accentuate the problem of poverty. By the same Act, there were created Corporation Workhouses for London and Westminster, governed by a president, deputy, and treasurer; similar institutions were to be established within the weekly bills of mortality in Middlesex and

¹ *Shropshire County Records* (ed. Wakeman and Kenyon), 108.

² 14 Car. II, cap. xii.

³ 18-19 Car. II, cap. ix.

Surrey, the officials of which (appointed by the justices) were empowered to apprehend rogues and vagabonds and set them to work. Justices in Quarter Sessions were ordered to report to the Privy Council the names of such rogues as they thought fit to be transported. By-laws could be made by the governing bodies of these institutions and they were permitted to levy a rate. Lastly, this Act of 1662 authorized the payment of a reward of 2s. to any one apprehending a rogue, vagabond, or sturdy beggar, and empowered the churchwardens to seize the chattels of putative fathers or mothers likely to desert their child. This Act was supplemented by that of 1666-7 which, having recited that insufficient stock had been provided for setting the poor to work, required the justices in Quarter Sessions to provide a sufficient stock, and to appoint and pay efficient overseers for the direction of the labour of the poor.

From these Acts it may be seen that the poor law enactments of Charles's reign attempted to amplify the Elizabethan system, which was based on the principle of providing relief for the impotent, work for the able, and punishment for the idle poor. Only in the last of these objects does the law appear to have been effective. For the impotent the State provided no institution, leaving them to the almshouses, or to the charity dispensed by churchwardens or private persons; or they might receive small sums from the overseers of the poor, who often distributed charity in money or kind to the sick and aged. 'To John Unworth in his sickness, 2s.; item, more to his burial, 3s.' is a characteristic entry.¹ If the pauper was not bed-ridden he might apply to a Justice for a licence to beg, but in such instances the distress or disability had to be fairly serious, as in these examples of licensed persons who received grants of from 3d. to 2s. 6d. from the churchwardens—'a seaman cast away', 'a tonglis [tongueless] man', 'a man that had been in slavery', 'a man, wife and five children undone by an earthquake', 'two women and children burnt out of all they had', 'a man that his leg did rot'.² As relieving officers, the churchwardens were sometimes indiscriminate in their charity—generally 6d. to the small fry with their tale of woe and the justice's

¹ *Durham Parish Books* (Surtees Society), 238.

² Most of these are examples from the Churchwardens' Accounts of Puddlehinton (Dorset).

licence, a larger sum to the Huguenot refugee or the Protestant ejected from Ireland, and the maximum to the 'decayed gent', whose aristocratic origin was revealed by the linen which he still wore.

The comparative immobility of poorer labour was one of the harshest characteristics of the oldersystem, for a stranger entering a parish was allowed to settle there only if he had four acres to his cottage;¹ he might be driven back to his place of settlement if his premises were of less value than £10 per annum, or if he showed signs of indigence. Moreover, the travelling poor were not seeking for districts where there were higher rates of pay, because the Elizabethan Statute of Artificers, by empowering the justices to regulate these rates, helped to maintain comparative uniformity throughout the country; the itinerant labourer might therefore be seeking not profit, but work. This immobility reacted also on the disabled poor, for there were still many charitable trusts throughout the country, some villages being well endowed, while others knew only the mercy of justices and overseers; in consequence, the intensity of pauperism varied considerably. Nor was there any attempt to consider poverty in relation to unemployment, for the accepted view was that a poor man out of work must be a rogue, unless he could prove the contrary; in consequence, legislation was mainly repressive in character, and in the last resort the only outlets for the unwanted were transportation, the gaol, and the gallows. These evils were intensified by the Anglo-Dutch wars, which not only caused economic dislocation, but turned loose on the country-side many seamen who could not obtain their pay.

Even thus, the legislation might have had some justification if work had been provided for the willing poor, but in this it appears to have failed; for in few parishes at this time was there available a stock of raw material, such as flax or wool, on which the poor could be set to work.² Nor did the workhouses always succeed in providing such material. It is true that they supplied a small amount of canvas for the Navy,³ but the employment was irregular, and in some cases was limited to young paupers. Thus, after

¹ 31 Eliz., cap. vii.

² For this subject see E. Leonard, *Early history of English poor relief*, 275-6.

³ *Cal. Tr. Bks.*, 1667-8, 47.

the passing of the Act of 1662 a start was made with the erection of a workhouse in London. The initial capital available was £4,445, of which about £4,000 was spent in building a hostel, wherein were housed about 40 youths, between the ages of 7 and 16, fetched from the parish of St. Giles; and, with the curious explanation that it was neither a hospital nor a nursery, the custodians appear to have turned away all persons not within these ages. Its inmates commenced tapestry work for hangings; but this was interrupted by the Plague, when the institution was used as a hospital, and about 150 diseased persons had to be accommodated. The Governors then made a bargain with a doctor to pay him 20s. for each person who recovered, and nothing if he died; on this contractual basis, 56 recovered. When the Plague had subsided, fresh funds were necessary; and so a rate was levied by consent of the justices, producing £675, augmented by a gift of £1,000 from the king and £50 from the archbishop of Canterbury. Later references suggest, however, that all was not well with the workhouse. In 1669 it was rumoured that the funds had been embezzled by one of the officials, who had since gone to the Indies, and the Governors were accused of taking in people from the highways and keeping them prisoners. The sick house, it was alleged, had been converted into an ale-house; and the poor, it was said, were maintained not by the Governors, but by the private charity of London merchants, especially sir Robert Viner.¹

In this failure of both legislature and parish authorities to cope with the problem of poverty, there was left some initiative for the philanthropists. Among those who attempted to devise schemes for the employment of the poor were sir Matthew Hale and sir Josiah Child;² of more practical importance were the activities of a London draper named Thomas Firmin, who in 1665 began to employ the poor on cloth-making. Later he started a linen factory in Little Britain, where 1,700 persons are said to have been kept at work; children as young as three years of age were admitted and taught to read and spin. Firmin conducted this

¹ Evidence before the House of Commons, March 16, 1670, in *Grey*, i. 403-5.

² For this see B. Kirkman Gray, *History of English Philanthropy*; and S. and B. Webb, *The Old Poor Law*.

enterprise on an economic basis, on the view that the steady and trained employment of the poor was not only philanthropic but profitable,¹ and he left on record an account of his principles. If he had £100 a year to settle on a poor parish, he wrote,² he would do it thus: £20 a year to an able and honest woman to teach the poorest children to read, and spin flax and hemp; £5 for the rent of the school; £25 for buying stock; £40 for payment of the children's labour; £8 for wheels and reels; and £2 for an annual dinner to the trustees. For adult mendicants he had no sympathy. In his opinion they were a people who came from the 'suburbs of hell itself'.

The vagabond. In contrast with the depressing subjects of gaol life and pauperism, roguery and vagabondage have a rich literature of their own,³ for already the picaresque novel of Spain was finding imitators in England, and the rogue, long known to the legislator, the constable, and the justice, was now coming to interest the man-of-letters. The age-long contest between wit and circumstance, between the plausible, cunning vagabond and the stolid mass of respectable and stationary society has never been without a certain fascination; it reflects itself in the popularity of the 'crook' and detective story of to-day, as in the seventeenth century it inspired descriptions of the travels and cheats of draw-latches and sneak-thieves. These heroes of adventure were members of a separate civilization, having its social divisions, its distinctive language, and its code of honour; contrasted with them were the 'honest and painfull' pedlars and chapmen, for the licensing of whom James I had created an office. This was granted to Killigrew and other patentees, who derived some profit from the fees.⁴

There were several types of rogue. The 'upright man' was the elected head of a pack, sometimes equipped with a truncheon; the 'ruffler' was one who, pretending to be an old maimed soldier, sought out former royalist commanders and claimed to have served under them; the 'anglers' went about with a rod, having

¹ S. and B. Webb, op. cit. 106; and T. Firmin, *Some proposals for employing the poor* (1681).

² Firmin, op. cit. 9.

³ For a good bibliography see F. W. Chandler, *The literature of roguery*; also C. J. Ribton Turner, *History of vagrants and vagrancy*.

⁴ *P.C. Reg.* 65, March 22, 1676.

a hook at the end, which they inserted into open windows at night on the chance of a catch; the 'priggers of prancers' were horse-thieves, who carried a small pad saddle and bridle for any chance mount. They could change the colour of a horse's coat, and by adding an artificial star to its forehead they made identification more difficult. 'Polliards' and 'clapperdodgeons' used children, either their own or borrowed ones, in order to stir the sympathy of the charitable; 'fraters' were men who, by a forged patent, collected money for a hospital; 'Abram men' or 'Tom o' Bedlams' added ribbons or fox's tails to their clothing and pilfered under the guise of madness; the 'Whip Jack' was the counterfeit mariner who went about with his 'mort' or woman-companion, whom he claimed to have saved from shipwreck; 'dommerars' were men who pretended to be dumb; 'kynchen coves' were orphans who had taken to the highways; 'strowling morts' were pretended widows, generally working with a ruffler hidden in the background; the 'quire birds' were those who had sung in Newgate or Bridewell and had escaped the gallows. Lastly, the 'patricio', or strollers' priest, 'marricd' couples over a dead horse; the man and his 'mort' shook hands over the carcass and were thereupon pronounced man and wife.¹

In the freemasonry of the road there was a distinctive language from which colloquial English has not disdained to borrow: thus, a 'toppin cove' was a hangman, 'fencing cully', a receiver, 'rum mort' meant curious wench, 'to tip' was to give. A picturesque vocabulary was therefore at the disposal of rogue literature, which was based mainly on the antithesis between the happy-go-lucky stroller and his grim destiny in the background, an antithesis prompting such a lament as this, that of a wench who had lost her rogue to the hangman.

Now my little rogue is gone,
By the highways begs there none
In body both for length and bone,
Like my clapperdodgeon.
Dumb and madman thou could'st play,
Or a drivelling fool all day,
And like a poor man thou could'st pray,
Yet scaped with passes sealed away.

¹ R. Head, *The Cantin^g Academy* (1673), 58 sqq.

When the evening hath been wet,
 For fire the hedges down did'st beat,
 Me then with stolen duck did'st treat,
 Or else a fat goose was our meat.

Mallards then I could not lack,
 Bacon hung always at my back,
 Nor corn wanted in my sack,
 With good milk pottage I held tack.

To thy dog and dish adieu,
 Thy staff and pass I ne'er must view,
 Though thy cloak was far from new,
 In it my rogue to me was true.¹

The merchant and tradesman. It might seem strange to associate these two, and still more strange to place them in such close proximity to the vagabond. But the categories of to-day do not always coincide with those of the seventeenth century; for human occupations were not then so highly specialized, and one man might engage in several occupations now carefully kept apart. Thus, a man would manufacture fustians or woollens and carry them round the country as a chapman, in which last capacity he might have to prove to the constables or justices that he was not a rogue; so too he might serve an apprenticeship as a goldsmith, and combine efficiency in this craft with the lending of money on pledges, and thus become a banker. Now that commercial travellers are employed, neither merchant nor manufacturer need be itinerant; just as with the establishment of banks, pawnbrokers are no longer the sole money-lenders. The first class, that of the chapman-merchant-manufacturer, includes such honoured names as that of Humphrey Chetham (1580-1653), the great benefactor of Manchester; the second class, that of the men who were first goldsmiths, then pawnbrokers, and finally bankers, is well represented by sir Francis Child the elder (1642-1713), whose ledgers demonstrate this process of evolution. Hence there was still some association between pedlar and manufacturer, between craftsman and merchant; but after 1660 a greater measure of specialization may be traced.

This increasing differentiation can be seen in the history of

¹ R. Head, op. cit. 16. The above is Head's translation from the original.

the great City Companies of London.¹ As chartered institutions these Companies had to endure the assaults levelled at their franchises by the Corporation Act of 1661 and by writs of *quo warranto*;² some of them became impoverished, but most of them continued their charitable and educational work, maintaining almshouses and schools throughout the country, and combining these benevolent activities with solicitude for the welfare of their craft. Already also they had acquired exalted connexions; for many noble families traced their origin to a Draper, a Tailor, or a Haberdasher, and even kings had not disdained to be made free of their mysteries; for example, Queen Elizabeth was a Mercer, and Charles II had this much in common with William III that he was a Grocer. These facts make terminology somewhat difficult. When it is added that, later in the reign, the Companies exercised political influence, it will be seen that they were becoming corporations of merchants and capitalists, conscious of the prerogatives attached to wealth and civic status. Their liverymen had mostly begun life as craftsmen or tradesmen; they were ending it as city magnates. It was here that money exercised a direct influence, without the intervening medium of land. The three Anglo-Dutch wars of the seventeenth century emphasized these potentialities of wealth; since the government, having no facilities for credit, was obliged to resort to the man who could provision the fleet from his own funds, or supply ready money on the security of the taxes; hence the increased opportunities for the capitalist-victualler and the goldsmith money-lender. Examples of the first class include William Penn the younger (1644-1718), founder of Pennsylvania; Thomas Papillon (1623-1702), descendant of a French family (a Mercer), and a Burgess for Dover; sir Josiah Child (1630-99), a governor of the East India Company, whose fortune was estimated at £200,000; and William Kiffin, a cloth merchant and baptist minister, who refused to accept James's Indulgence in 1687. Of the second class the most distinguished representative was sir R. Viner (1631-88), goldsmith, lord mayor, and banker to Charles II.

Many of the great merchants were Nonconformists; some, like Papillon and Dubois, were Huguenots; the majority of them

¹ For these see W. Herbert, *History of the great livery companies*.

² *Infra*, ii. 517-19, 634-6.

provided a substantial backing for the whig party, and by the Revolution of 1689 they had become an estate of the realm which no government could afford to ignore. Probity, thrift, and Protestantism were the qualities which served to contrast them with the men whom the later Stuarts delighted to honour, a contrast which had some influence on the early history of party politics. Charles II, who sometimes accepted their hospitality, succeeded in suppressing their political aspirations; but they proved eventually to be stronger than the Stuarts themselves. Nevertheless, these facts should not obscure the jurisdiction which the City Companies still exercised on the craftsmen within the bounds of the city. They limited the number of apprentices that might be taken by wardens, liverymen, and masters; disposed of apprentices on the death of their master, and prescribed the conduct of the apprentice on Sundays and holy days. Fines were imposed on the idle and the recalcitrant.¹ Over workmanship there was a similar supervision. Thus the master, wardens, and assistants of the Paviers' Company were authorized to conduct a 'search and view' of pavior work;² the Company of Pewterers enforced the rule that 'turn wheels' or unskilled labourers should not be initiated into the practice of the craft, but only journeymen and apprentices; a freeman might be fined because of the bad quality of his spoons,³ or because his standishes were not of the required degree of fineness.⁴ The Companies still maintained close contact with the practice of their craft or trade.

But in this respect it is noticeable that an increasing number of journeymen left London after they had served their indentures; possibly because they could not pay the fees for admission to the livery of a Company, or perhaps because in the country they had more opportunity or more freedom. This migration may have helped to restrict somewhat the scope of the Companies' prerogatives, or to emphasize their social and benevolent character. Parallel with this was the process whereby, in many crafts, there was evolved a sharper contrast between the capitalist manu-

¹ For examples of this disciplinary control see *Records of the Worshipful Company of Carpenters* (ed. B. Marsh), i, Apprentices' Entry Books, 1654-94.

² C. Welch, *History of the Worshipful Company of Paviers*, 51.

³ C. Welch, *History of the Worshipful Company of Pewterers*, ii, 145.

⁴ *Ibid.* 134.

facturer and the workman without capital, to the exclusion of the small master. This may be seen from the Clothworkers' organization, where the original line of cleavage was between the mercantile and the industrial interest, between the merchant-exporter on the one hand and the employer and worker on the other; after the Restoration the latter class, composed mainly of small masters, was being displaced by the larger employer and the journeyman; and in this way the interests of capital and labour were brought into clearer definition. Before the end of the century there is even evidence of combination among journeymen.¹ This specialization of capital helped further to produce differentiation; for the Feltmakers separated themselves from the Haberdashers, the Clothiers from the Drapers, and the Printers from the Stationers; and so an increasing number of workers were severed from the capitalist and benevolent institutions of which they had once formed an essential part. Hence it is possible to trace in the later seventeenth century an increasing distinction between the merchant and the craftsman or tradesman. The first was realizing new opportunities for money; the second was nominally bound by the regulations of Company or Gild, though these were becoming more difficult to enforce.

There was also the control exercised by the State. Tradesmen and craftsmen were still subject to the Elizabethan Statute of Artificers (1559), which enacted the statutory periods of apprenticeship, and empowered the justices to declare rates of wages; but this latter restriction appears to have been maintained only for the agricultural worker. For each occupation there were statutory regulations. A baker could not sell his bread of less weight than the due assize, that is, in proportion to the price of corn in the market; moreover he had to put his proper mark on the bread, and could not sell more than thirteen to the dozen. The miller had to regulate his toll for grinding corn according to the strength of the water driving his mill; the vintner had to import his wine in casks of the regulation size and sell it according to the Chancery price list; tanners were limited in the choice of the substances they might use for raising hides, and must have their leather examined and sealed before sale; the

¹ For this see G. Unwin, *Industrial organisation in the XVIth and XVIIth centuries*, ch. viii.

shoemaker could not mix his leathers; the cooper must use only barrels of the prescribed size. 'Beaver makers are to make beaver hats and the felt makers felt hats; there is to be no mixing'; such was the spirit of regulation in an age when almost every human activity was subject to minute control. But these rules had been most effectively enforced only under the early Stuarts, and though they survived both Commonwealth and Restoration they were gradually being replaced by a more elastic order of things; indeed, before the end of Charles's reign the principles of economic individualism were beginning to be enunciated.¹

The lawyer. A similar process of specialization may be seen in the development of the modern professions, which became more clearly differentiated in proportion as the old ecclesiastical immunities were destroyed. This process was commenced by the Tudor legislatures and was continued by the early Stuarts. Highwaymen² and pirates³ were the first to lose their benefit of clergy, and were thus obliged to recognize the purely secular character of their activities. So too with the other occupations. As the beaver merchant must stick to beaver, and the felt merchant to felt, so the surgeon must no longer practice barbering nor the barber surgery;⁴ nor might the pawnbroker disguise his usury by calling himself a broker, as if his were an honest or lawful trade, whereas he was really no broker but a mere 'friperer'.⁵ In this legislative rearrangement of men there were some inequalities; for, while the cook appears to have lost his mediæval pre-eminence, the physicians and surgeons suddenly leaped into high status by their incorporation into colleges, and by the rule that aspirants for either profession must first satisfy the bishop of London, who, for examination purposes, was assisted by a panel of experts.⁶ The clergy themselves became professional by this legislation, because their pluralities were cut down,⁷ they were forbidden to exercise a trade⁸ or to keep a tavern,⁹ and they had to be resident. It was decreed also that bakers, brewers, surgeons, and scriveners were no longer to be accounted handicraftsmen, as their calling was a superior one.¹⁰

¹ *Infra*, 225-6. ² 23 Hen. VIII, cap. i. ³ 27 Hen. VIII, cap. iv.

⁴ 32 Hen. VIII, cap. xlii.

⁵ 2 Jac. I, cap. xxi.

⁶ 3 Hen. VIII, cap. xi.

⁷ 21 Hen. VIII, cap. xiii.

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ 22 Hen. VIII, cap. xiii.

The lawyers were the strongest and oldest of the secular and learned professions. As in no other country, the common lawyers were a national institution; their jurisprudence was the one thing which had survived unscathed the upheavals of Renaissance and Reformation, thereby giving fresh colour to their claim that English common-law traditions stretched back to the mists of Saxon antiquity, a tradition zealously fostered by centuries of insular practice and experience. Moreover their system might claim to be patriotic, because it was studied not in cosmopolitan universities, such as medieval Oxford and Cambridge, nor in foreign cities, such as Pavia or Bologna, but in the heart of London, at the Inns of Court, where congregated the younger sons of many of the best families for exercise in what Maynard called the *Ars Bablativa*, and for initiation into the pleasures of the metropolis and the gossip of the courts. It was a momentous change when such men were tempted to seek the suffrage of the boroughs and introduce themselves into politics; for they possessed, as did no other body, ambition, social influence, determination, collective cohesion, and individual pertinacity. Legal training qualified them to be both critical and remorseless in debate. They were pedantic, but on the other hand they were never academic, and so were not debarred from an active part in public life. Their jurisprudence, in which were combined medieval methods of pleading with accumulations of statute and custom, still contrived to serve the needs of English society. Leaving wills and divorce to the Church, and wreck and salvage to the Admiralty; they shed their barbarous French, but retained a sufficient number of technicalities and obscurities to baffle the unqualified, and to provide a profitable as well as honourable career for the man of acute mind and ready tongue.

Francis North, lord Guilford, may be cited as a specially favourable product of the system. The third son of Dudley, lord North, he was admitted a fellow commoner of St. John's College, Cambridge, in 1653, and two years later moved into 'a moiety of a petit chamber' at the Middle Temple. There he engaged in liberal studies, application to the law, indoor and outdoor games, with unlimited social intercourse of a kind likely to aid him in his profession. In vacation, he took boxes of books with him into the country, his favourite reading being the Year Books, which,

he held, combined instruction with diversion. At noon and night in the common hall of the Middle Temple he took part in debates, and became noted as an admirable 'put case'; this readiness in argument was sharpened by frequent moots. He digested all he read into commonplace books, and developed a lawyerly love for the abridgement; his vast reading and much of his observation were therefore summarized and indexed for immediate use. Visits to family estates enabled him to go 'court keeping', that is, presiding in manorial courts, where his skill in reasoning the 'homage' into paying fines for essoigns¹ and other technicalities won the admiration of the family steward. This gave him some knowledge of 'the humours and subtleties' of country people. As a student he frequented the Common Pleas, where 'all the suits were drawn forth upon the ancient and genuine process of the Common Law', in preference to the King's Bench, where 'more news than law is stirring'.² From every flower he gathered honey and he kept on good terms with the 'cocks of the circuit'; then he was assisted by sir Geoffrey Palmer, attorney-general, and eventually attained to the office of lord keeper. His success was due to aptitude, application, and social influence; also to his subservience to the prerogative. High personal qualities can be traced also in the careers of sergeant Maynard and chief justice Hale; but these men were notably honourable examples of their class, for it was under the later Stuarts that the English Bench reached its lowest depths.

More is heard of the attorneys and solicitors. In 1683 a complete guide for their use was published, the reader being assured that no one need despair of becoming a solicitor 'whom God and Nature have blest with a competence of wit, memory, and judgement, and inclinations and industry suitable to the profession'.³ Neither Stuart legislators nor Puritan reformers had any doubt regarding the inclinations and industry of these men; for so numerous were the misdemeanours of the dishonest among their ranks, that a statute of James I attempted a drastic weeding-out by confining the profession to 'those who have been found by their dealings to be of skilful and honest disposition'.⁴ Equally ineffective were the later attempts to diminish the opportunities

¹ Excuses for absence from court.

² *Lives of the Norths*, i. 28.

³ *The Compleat Solicitor* (1683).

⁴ 3 Jac. I, cap. vii.

of the attorneys, and in 1673 Chief Justice Vaughan told a committee of the Commons that complaints were rare because they 'are terrible upon the people'.¹ The truth is that as society developed, and sin became more variegated, the business of the speculative lawyer increased, and when life in the capital became more hectic it may have become more colourful:

These are the busic days when the Green Bag
At Westminster about the Hall doth wag;
The effects whereof (Brethren and Friends) are double,
The lawyers get the coin, clients the trouble.²

The same iridescent quality is revealed in a contemporary biography of a 'cheating solliciter' named Richard Farr, who probably stood to his brother practitioners in the same relationship as did Bunyan's Mr. Badman to his fellow tradesman, that is, a synthesis of all the sins possible in one occupation.

And now if any wrangling, controversy, law-suit or business of difficulty arose among the neighbourhood, who but Mr. Farr for a Solliciter? If, as the livelihood of that end of the town [Long Acre] depends much on lodgings, any person, having taken a large house wanted hangings and other furniture, who but Mr. Farr for a Broker? If any wanted a sum of money on good security, who but Mr. Farr for a Procurer? Now did he appear in his plush coat, and sometimes with his pantaloons and muff; now had he his variety of shapes and apparel suitable to the designs he intended. Now did his friends court him and his enemies stand in awe of him.

Mr. Farr was stated to have forged title-deeds, received stolen goods, and sold 'bottle ale'. He was at last hanged for burglary. As a bird of prey he had lived; as a bird of plumage he died, dressed in a purple gown and a vermilion waistcoat, having left 20s. for a sermon on the text *Blessed are the dead which die in the Lord*, afterwards amended by the chaplain to the more appropriate *Except ye repent ye shall all likewise perish*.³

The parson. 'The two plagues of the nation', wrote the Fifth-Monarchy man, John Rogers,⁴ 'rose up from the bottomless pit

¹ *H.M.C. Rep.* ix, app., pt. ii. 20. MSS. of the House of Lords.

² *A yea and nay almanac*, in Bodley, Douce, A 581.

³ *The cheating solliciter cheated* (1665), in Bodley, Wood, 372.

⁴ Quoted in E. Rogers, *Life and Opinions of a Fifth-Monarchy Man* (1867).

and are the priests and the lawyers.' This adequately summarizes a view, widely held in the seventeenth century, regarding the origin of these professions. The parson, generally the product of one of the two universities, was as distinctively professional as the lawyer, and expounded a theology which, in virtue at least of its compromises, might claim to be characteristically English.

As a career, the Church was not lucrative. Then, as now, its wealth was unevenly distributed, ranging from the well-endowed bishopric of Durham, with the revenues of its palatine jurisdiction and profitable leases of coal pits, to comparatively poor bishoprics like Hereford and Exeter. There was the same disparity in the livings, because the value of the tithe varied from parish to parish; and this, together with fees and offerings, was the source of the parson's income. Tithe was regulated by a heterogeneous body of rules and customs, and was levied on corn, on timber (when cut and sold), and on pigs; beasts of the plough were exempt, but if oxen were fattened on grass, tithe might be levied on the herbage. Milk was tithed—on every tenth day, but not throughout the year; so also wool, on 'Shear Day'. If a parishioner had ten lambs, he paid one to the Rector; if nine, he paid one and received in return a halfpenny, and so in proportion. Three eggs were exacted for each cock and drake, and for each hen¹ and duck. So even the cocks and hens were not without their historical importance, and the stipends of the established ministers of religion might fluctuate with the volume of crowings from the farm-yards. This dependence on agriculture helped to forge the links uniting squire and parson in the dyarchy of the country-side, a union strengthened by the contrast between the poverty of the average living and the comfort enjoyed by many merchants and tradesmen in the towns; for a rector was fortunate if his living was worth as much as £40 a year; and the stipends of Oxford and Cambridge dons (also derived from agricultural endowments) seldom exceeded £10, unless supplemented by chaplaincies or lectureships. In consequence, even the poorest of college benefices were eagerly sought after, and vacancies were the occasion of expert negotiation. Preferment was solicited by methods more direct than those of to-day; and in 1681 Charles had to signify his pleasure that applications should be sent not

¹ *English Reports*, xxi (Chancery) 1107-8 and xxii. 617-21.

to him, but to the archbishop of Canterbury and the bishop of London.¹

Of the social status of the Church at this time, it is more difficult to generalize. The ecclesiastical life does not appear to have attracted a high proportion of men from old or distinguished families, nor did the limitations of parochial life make easy of attainment a high standard of either culture or social well-being on the part of those who had found in the Church an avenue towards an improved status. Exceptions, such as Compton, bishop of London, are so often insisted on that they help to confirm faith in the older generalization, that the social position of the later Caroline clergy was considered low by contemporaries.

But neither pedantry nor undistinguished origin prevented the clergy from playing a part of unique importance and value in the evolution of English society. Then, as now, much of the best pastoral work was done by men of whom least was heard. The black-sheep and the sycophants were notorious, but they were easily outnumbered by the men who, in poverty and obscurity, maintained at least a glimmer of spirituality in a country-side almost completely insulated from the outside world. Parson and parish church often stood out above the sordid acrimonies of the old English village as emblems, at least, of more permanent things. Nor was this all. More perhaps than any other class, the clergy were the fathers of men who achieved eminence in every field of public activity and intellectual pursuit; for, like the younger members of many county families, the sons of the rectory and the manse had to go far afield for a career, achieving their ambition in naval or military service, or in the secular professions, or in exploration, or in the administration of the colonies and dependencies, and so providing a select body of men, mostly endowed with the advantages of frugal home-training, good education, social eligibility rather than social position, and the incentive of comparative poverty. Both England and Scotland have been rich in this type. One illustration was provided as early as the reign of Charles II. In 1678 the king issued a patent for the erection of a corporation to grant relief to poor widows and children of clergy. Of the governors of this corporation, all sons of clergy, there were two bishops (Rochester and Carlisle), a judge (sir

¹ *Cal. S.P. Dom.*, 1680-I, 187.

Wm. Dolben), a notable parliamentarian (sir T. Meres), a secretary of state (sir Joseph Williamson), and sir Christopher Wren.¹

The peer. As the parson was the expounder of divine purpose revealed to man in the Creation, so the peer was the living embodiment of that purpose; for as God only can make an heir, the existence of a landed aristocracy was obviously a proof of intelligent design in the shaping of the universe. This view was voiced by Anglican and Presbyterian alike. 'Peers of noble birth and education', wrote Prynne, 'are more generous, heroic spirits, and not so apt to be overawed by regal threats, nor seduced with inward and private ends from the public good,'² a view identical with that expounded as early as 1621 by Peacham in his classic *The Compleat Gentleman*, where he affirmed that there are 'certain sparks and secret seeds of virtue' innate in the progeny of noble personages, 'from which grows fruit more early and more vigorous than that which the industry of the vulgar can produce'. Personally and collectively the peers had remarkable attributes, but contact with exalted personages caused Pepys to note (with surprise) that they were just like ordinary mortals.³

As lords of parliament the peers represented themselves; it was therefore a matter of national expediency that they should be supported in their estates, for only if backed by landed influence could they fulfil their allotted place in the constitution. With some justice, Shaftesbury claimed that the English peerage was the only alternative to a standing army,⁴ because, in the absence of this hereditary bulwark, the crown would be at the mercy of factions, and without an army would quickly fall into a republic. This national necessity for their well-being entailed a number of important privileges. The last act of the Long Parliament of the Civil War was a declaration asserting that the rights of the lords should be safeguarded; throughout the reign of Charles II these rights were frequently affirmed, and in some cases extended.⁵ Their houses could not be searched for arms except by special warrant from the king;⁶ peers in hereditary offices were not

¹ In *Bodley, Wood*, 276 a, 38.

² Prynne, *A Plea for the Lords* (1648).

³ *Pepys*, July 26, 1665.

⁴ Speech of Nov. 20, 1675, in *Parl. Hist.* iv. 796.

⁵ For their distinctive privileges as Lords of Parliament see *infra*, ii. 463-6.

⁶ 14 Car. II, cap. iii.

obliged to take the oath against transubstantiation imposed in 1673;¹ they could not be imprisoned by attachment out of Chancery;² they could not be committed for misdemeanours.³ As a witness, the peer gave evidence not on his oath, but on his honour, because all peers are of 'known integrity';⁴ at common law any one slandering a peer could be punished by the pillory and loss of his ears.⁵ When indicted of a criminal offence, he might put himself on his peerage, that is, claim the right to be tried by his peers acting as a jury under the presidency of a Lord High Steward; and, if convicted, he might claim benefit of clergy, even if he could not read. If he were convicted a second time, he could not again plead clergy, but as one of the king's hereditary advisers he might hope for a special exercise of the royal clemency in his favour. In effect, therefore, there was a reasonable chance that, after two murders, he would remain unchanged.

Few law suits could be contested by a commoner with a peer on equal terms. Thus, in 1667 one Carr, clerk to a troop of Life Guards, refused to pay to his commanding officer, lord Gerard of Brandon, £2,000 a year in excess of what was due to him. For this, lord Gerard threatened to kill Carr, and assaulted his wife and children. Carr petitioned the House of Commons 'to consider his lot, which may be that of any commoner under a great lord'. When the Lords were informed that such a petition had been presented to the Commons, they summoned Carr to their chamber, ordered him to be fined £1,000, to be set in the stocks, and imprisoned in the Fleet; and his petition was given to the hangman for public burning.⁶ It is noteworthy of this instance that, though Carr had brought his petition to the Commons, they did not dare to interfere in a matter concerning the personal privilege of a peer. This lord Gerard was in later life one of the Monmouth conspirators, and is said to have advised his tool to murder the duke of York. In 1676, in a drunken frolic, his son killed a foot-boy in St. James's Park, but no proceedings were taken. Father and son were buried in Westminster Abbey. A more extreme instance was that of the seventh earl of Pembroke.

¹ 25 Car. II, cap. ii.

² *L.J.* xii. 122, Oct. 22, 1667.

³ Sir R. Sawyer in the Seven Bishops' Case.

⁴ *Grey*, ii. 447.

⁵ *Modern Reports*, ii. 162; see also *infra*, ii. 465.

⁶ *H.M.C. Rep.* viii. *MSS. of the House of Lords*, 115, Dec. 16, 1667.

In 1678 he was found guilty of manslaughter by the court of the Lord High Steward, but on pleading benefit of clergy, he was discharged. In 1681 he was again indicted for manslaughter, but some of his fellow peers presented a petition on his behalf, with successful results. These are the only recorded instances where he was brought to trial for his assaults, but in the coffee-houses he was credited with no less than twenty-six homicides.¹

Considering the great extent of their legal immunities, and the character of the life at the Court of Charles II, it is surprising that so few peers committed manslaughter; indeed the record of the English peerage compares very favourably in this respect with that of other countries. Pembroke and the Gerards must not be taken as typical examples, but as extreme instances of how far a vicious man might press the privileges incident to his rank. About the personnel of the Restoration peerage it is impossible to generalize, for heredity appears to have created the same diversity to be found in any miscellaneous body of men. Thus the Cecil and Percy families were not producing their best scions, nor were any of the Howards distinguished for either character or ability; on the other hand both prince Rupert and the duke of Buckingham were possessed of brilliant endowments, though they squandered them. One of the greatest names in the history of science is that of Robert Boyle, son of the first earl of Cork; in politics, Shaftesbury was one of the most dynamic of forces in English history, while Ormonde and his son Ossory were pre-eminent in their integrity and high sense of honour. But it was of particular importance that the English peerage never became a caste. Many of the eldest sons of peers sat in the Commons, a practice which strengthened the power and prestige of the Lower House; younger sons sometimes went into trade, the great chartered companies providing good opportunity for both adventure and profit. Except in their freedom from arrest for misdemeanours,² the children of peers were not distinguishable in law from commoners; moreover, by marriage and social intercourse

¹ *Impartial account of the misfortune that lately happened to the Rt. Hon. the earl of Pembroke* (1679).

² Report of the committee to consider privileges of peers, Feb. 11, 1674, in *L.J.* xii. 633.

they mingled more freely with their social inferiors than did the high-born children of continental countries.

The king. Charles II brought English kingship to its highest point of power, almost immediately before the application of devices intended to make it fool-proof. In comparison, the prerogative wielded by the Tudors was simpler, as it had fewer religious sanctions, and Englishmen were then less critical; Charles, on the other hand, came to England on the crest of a great wave which, sweeping away every vestige of republicanism or political experiment, revealed the divinely-planned foundations on which the earlier Stuarts had attempted to construct their power. It was the industrious and conscientious James who, in record time, succeeded in destroying these foundations, thus eliminating the religious element altogether, and bequeathing to parliament such effective control over a limited and safeguarded kingship that opportunities for royal genius or even individuality became thenceforth more rare. This is the central point of interest in the history of England between the Restoration and the Revolution; for in these years one king demonstrated how long he could retain control of a delicately-adjusted but dangerous mechanism, while his brother showed in how short a time he could be destroyed by it.

Religion and mythology, law and tradition had each contributed to the building of the wonderful edifice into which Charles stepped on May 25, 1660. The crown was thought of, not as an office having definitely allotted powers, but as constituting in itself the life-blood of the State. The king was not a functionary at the head of a pyramid, but was himself the stone and mortar of the structure, clearly discernible on every side of it, filling minute crannies and cracks scarcely discernible by the human eye, and holding the edifice together by that supernatural power derived from unction and consecration. He was the source of life in the State, for every legitimate enterprise had ultimately its origin and sanction in him. As fountain of honour, he made peers, who are perpetual legislators; by his charters he enfranchised boroughs, and these appointed temporary legislators; as wielder of the power formerly exercised by the pope, he created bishops and they priests; he made sheriffs and they juries; he appointed judges *durante bene placito* to administer his laws in his

courts of justice, and lords lieutenant to transmit his orders to his Militia. His Navy he directed through his lord high admiral. He declared war and made peace; he could do no wrong, though his ministers might. He might plead and demur, that is, argue on both fact and law; he could choose his action, and sue in whatever court he might elect; he could make a lease to commence from a date passed; he had a right to unclaimed property; non-user could never be pleaded against him, for *nullum tempus occurrit regi*. He could invade any man's freehold to search for saltpetre; the earth yielded to him a portion of its precious metals; the sea washed up treasure for his use, and in receding left land of which he claimed a part. He alone could profit, without effort, from the wrongdoing, the folly, and the superstition of his fellow men—from their wrongdoing, as when he received a portion of the fine or forfeiture attached to the infringement of a statute; from their folly, in his monopoly of lotteries; from their superstition, in his right to confiscate all lands and rents bequeathed for the maintenance of an anniversary or obit to help to save the soul of a donor from purgatory. The extent of his privilege was the measure of the subject's obligation, and he was the one exception in reference to which the normality of other men could be both measured and enforced.

Secular vocabulary provides a poor medium for a description of these powers. As God's lieutenant on earth the king was a priest, and so must not give reasons for what he said or did. He was the centre from which radiated zones of good and evil; for through his hands he transmitted the healing power;¹ but alike in the fire of his displeasure and the frost of his indifference there was death. He must not be cursed in public or private; his power of pardon was unlimited; even in the presence of death he was an exception; for as it was treason to think of his death, so nothing might be spoken or written wherein his decease was expressed or implied. It was for him to declare when men shall mourn and when they shall rejoice, for he had taken upon himself the person of the state; in Hobbes's imagery he was the mighty leviathan, in

¹ For a contemporary work on the healing power see J. Browne, *Charisma Basilicon* (1684); the best modern account is R. Crawford, *The King's Evil*. For the subject generally see Frazer, *The Golden Bough*, i, and M. Bloch, *Les Rois Thaumaturges*.

whose belly cowered his subjects, as did Jonah, sharing whether they would or not in all the movements of the whale, risking the possible dangers of digestion in order to avoid the certain death which lay in the waters outside; as mere passengers unjustified in offering even a suggestion regarding the navigation, but, as intimate parts of the monster's anatomy, incurring in the eyes of the outside world a corporate responsibility, not to be evaded, for the gyrations, however eccentric, of the organism into which they were merged.

But there was an anti-climax; for Charles II was the only man in his kingdoms obliged to beg in public for an increase of his inadequate salary.

3. THE RESTORATION AS SEEN BY SOME CONTEMPORARIES

Such, in brief, were some of the social characteristics of the people over whom Charles was to rule. At this point it might well be asked whether the Restoration elicited any expression of opinion in regard to the possibilities suddenly opened up by this momentous event in national history. What hopes for the future of English civilization were raised by the peaceful but drastic change from republicanism to monarchy? For the surviving regicides there was the prospect of punishment; for all who had not kept pace with events there was a chance of disqualification or ostracism; for the returning exiles there were hopes of office or reward; for the majority of men the Restoration appears to have brought a sense of rejoicing and expectation. 'I stood in the Strand and beheld it and blessed God' was Evelyn's¹ comment on the entry of Charles into London on May 29. This was the general feeling: thankfulness that an age of experiment and anarchy was ended. But this could not last for long, and soon men were eagerly examining the real implications of Charles's return.

Among the more thoughtful of these men was Edward Hyde, the great lord Clarendon, who in the exile which he shared with the king had carefully followed the course of events in England, and afterwards in a second exile was to record his impressions of English society at the moment of the Restoration.² He noted the almost miraculous suddenness of the change, how it thrilled England with joy, and was followed by a 'revolution in the

¹ *Evelyn*, May 29, 1660.

² *Clar. Cont.* i. 320-6, 336-56.

general affections of the people' almost as momentous as that which it had succeeded. To explain how this change came about was one of the main purposes of the *Continuation*. The root causes he found in the manner by which the Restoration itself had been effected; for Monck, having given a lead to the Presbyterians, had encouraged them to raise hopes which could not be fulfilled; his army had reason to think that they had been cheated by their leader; and, in addition to these sources of discontent, there was the actively hostile element among the followers of Lambert and in some of the Sects. On this considerable section of the community the Restoration had, in a sense, been foisted. More serious, the Royalists did not have the moral stamina for a proper use of the opportunities placed within their grasp. Many had become impoverished; others, in the course of long exile, had become un-English in habit and sentiment; among them generally was a loosening of the moral ties, and relapse into bickering, effeminacy, and vice. In only two royalist nobles, the marquess of Hertford and lord Southampton, were the pristine virtues of English loyalty to be found. Hence, according to Clarendon, a canker had bitten deeply into the very foundations of the throne itself. Cromwell had from policy encouraged this association between monarchy and debauchery in order to discredit both; Charles was obliged to acquiesce in this association because he wished to give himself as little trouble as possible. So the royal ship of state started her voyage with a heavy list, and the captain did not have the strength of mind to order the jettisoning of any part of the cargo.

Such was the spirit of Clarendon's commentary on the Restoration as an epoch in the history of English society. We know that he was idealizing the past, and that to some extent he was out of date; but there is nevertheless much truth in his criticisms. A more optimistic tone may be traced in the complete manual of advice¹ drawn up for the guidance of Charles by one well entitled to his opinions and accustomed to expressing them—William Cavendish, earl of Newcastle, famous as the victor of Adwalton Moor, the patron successively of Ben Jonson and Dryden, the royalist who, having spent a million pounds in the cause of the

¹ *Clar. MS.* 109. See also S. A. Strong, *A catalogue of letters and other historical documents exhibited in the library at Welbeck.*

king, was rewarded in 1665 with a dukedom. He was old enough to remember the glories of Elizabeth's reign; he had known James I and Charles I intimately; he was superior to both personal and party interests; and, as a famous horseman and horse-breaker, he was entitled to give advice on how to govern subordinates. He was no statesman; he was probably even more out of date than Clarendon; but he had this advantage, that his age and experience qualified him to draw for purposes of comparison upon a considerable period of English history, and so enabled him to set the social and political problems of the Restoration in sharper definition against the background of the older régime.

His advice may be thus summarized. He thought that the immediate danger to the newly-restored monarchy came from the towns, especially from the metropolis; London should therefore be disarmed and controlled by two forts, one on each side of the Thames. These precautions, with a well-fortified Tower, would serve to keep the commercial classes in their place, and in the provinces the same object would be promoted by regiments of dragoons. The next thing to be set in order was religion. Lay preaching must be discouraged; schoolmasters should be such only as the bishops license; the parson is to preach weekly from a printed sermon, this being the work either of a bishop or of a person approved by him. The episcopate thus provides the ruler with intermediaries through whom he can exercise control over both clergy and laity; but this is not the sole advantage of the Church of England for the purposes of statecraft, because that Church enjoins only a moderate number of holy days, whereas the Papists waste too much time in processions and pilgrimages, and the Presbyterians are prodigal of energy in extempore prayer and ranting. Religion, in fact, must be the first concern of the statesman, because the enthusiasm of the common people breeds revolution—'the Bible in English under every weaver's and chamber-maid's arms hath done us much hurt.' So too with the institutions from which the Church draws its supplies. There are too many students at the universities, and if the colleges had but half their numbers these would be better fed and better taught. The same is true of the grammar schools, where syntaxes are well thumbed, while horse and plough are neglected;

consequently, the schools should limit their numbers, for their only justification is that they serve the needs of the Church and (to a less extent) those of the Law and the Merchants. Education has its uses but, like everything else, there can be too much of it. The duke was writing at a time when it had not yet become fashionable for statesmen to commend the study of the classics.

With the help of the Church and the Law, Englishmen would be kept in order, and a recurrence of such an episode as the Interregnum made impossible. Thus, the bishops in their dioceses should act as 'intelligencers', reporting to the government on Papists, Presbyterians, and Schismatics, while in the universities there should be spies to search out the unorthodox and the seditious. The Star Chamber might well be revived in order to deal with riots, and the Court of High Commission for morals. Criticism of these and other prerogative courts had come, wrote the duke, not from the people, but from the common lawyers, whose opposition was not disinterested, because they were, he considered, concerned only with the threat to their fees implied by the business of these special jurisdictions. There were other spheres in which there might well be revivals of older practice. Gentry ought to serve on juries—they were now become too proud for that, and so this privilege had been usurped by the lower orders; moreover, the king himself might well preside occasionally in one of his courts of justice, if only to check the corruption of judges. The lawyers generally must be 'lookt to', for they had a deep hand in the initiation of the late troubles; moreover, the diminution of their numbers was in itself a social advance, and this could best be done if fewer people were taught reading and writing. Lawsuits consume vast sums of money; nearly every case eventually finds its way into Chancery, 'and God knows how many years it may be there'. Salaries and profits of the great officers of state should be reduced; and the king must remember that in the last resort it is with an army, not with the lawyers, that the sovereign controls multitudes.

As for commerce, the duke stated that when everything is cheap, there is scarcity of money, and when everything is dear, then there is plenty of money. It might therefore be deduced that it is good policy to keep prices, and therefore rents, high. The kingdom would be full of money if exports exceeded imports.

No attempt was made to adjust or reconcile these economic axioms. The study of trade was, he thought, an essential part of politics, and he cited 'old Burley' to demonstrate that a man cannot be a statesman unless he understands commerce. The duke added some shrewd criticism of English fiscal practice, condemning such things as monopolies and frauds in the farming of the Customs; he also suggested that subsidies were yielding less than formerly because the most substantial men in the counties were appointed commissioners, in which capacity they under-assessed themselves, leaving their poorer neighbours to make up the difference. Excise he considered the ideal tax, because it fell on every one. Tradesmen, he thought, were responsible for an economic grievance, since by engrossing money in their hands and letting it out at high rates, they were damaging the interests of landowners; for instance, when money is at 10 per cent., land is at 15 years' purchase, whereas at 8 per cent. land is at 20 years' purchase; interest should therefore be stabilized at 8 per cent., a rate sufficiently low for the advantage of the landlord, and sufficiently high to induce foreigners, especially Dutch, to invest money in this country. It was also of economic as of social importance that the laws against vagrants should be strictly enforced; and for this purpose the counties should be patrolled by troopers, officered by younger sons of good family. It may be added that these are not exceptional opinions; on the contrary, the duke was here voicing the opinions of the average squire.

'Ceremony and order, with force, governs all and keeps every man and everything within the circle of their own conditions.' This was the key-note of Newcastle's social philosophy. His Majesty was adjured to follow queen Elizabeth in this respect, who used to appear in public gorgeously attired, pronouncing her benediction: 'God bless you, my good people'—words of no great matter, 'yet I assure Your Majesty it went far with the people' and it cost nothing. Hence class distinctions must be kept clear, and the privileges of the nobility maintained. 'The worst in the nobility is but to pull down one king and set up another, so that they are always for monarchy; but the commons pull down root and branch, and utterly destroy monarchy.'

Referring to recent disorders, the duke claimed that their main cause was the king's lack of money. 'A parliament which

bargains with you is not a free parliament.' Parliaments are justifiable only if you are able to control them. Here again Elizabeth's reign provided the example. The second error committed by the earlier Stuarts was the creation of too many peers; whereas Elizabeth was sparing in this respect, and 'there was no joining with the House of Commons in those days'. It was bad policy to try to pacify a man by making him a peer. Thirdly, the subjects were allowed to dispute the king's prerogative in Westminster Hall and in parliament. Fourthly, too many privy counsellors were appointed, and both lawyers and merchants were admitted too freely into the royal counsels. The fifth mistake was allowing parliaments to sit too long—'a parliament will never want work', so it should be held to a strict time limit. The permission of weekly news-sheets was the sixth default of Charles's predecessors, for these journals filled the minds of the ignorant with their inflammatory domestic and foreign intelligence, whereas the discourse of men should be mainly about 'hunting and hawking, bowling and cocking'. Lastly, and worst of all, evil had come on the nation from the mixing of classes. In Elizabeth's day, a gentleman would put his younger son to the university, then to an inn of court, afterwards to wait on an ambassador, then to be his secretary, or possibly a secretary of state. 'But when great favourites came in, they jostled out this breed of statesmen: whosoever would give £1,000 more for the place, would have it.' The gentry, seeing this, have put their sons into trade, or other private careers, and so the crown was deprived of the support of that class pre-eminently fitted for state service.

As for the king himself, the duke's advice was explicit. He must entertain; he must have frequent masques at Whitehall, invitations to which are to be issued with the greatest circumspection. His Majesty should appear publicly in the tilt-yard; he should run at the ring, and ride horses of 'manège' to demonstrate his horsemanship (Charles preferred to ride as a gentleman jockey at Newmarket). The king should frequently attend at Newmarket, 'the sweetest place in the world', where he would have the additional advantage of a sermon on Sunday by a Cambridge divine. Other permissible recreations were 'Tennis, Pall, Walies and Goffe'. For the 'meaner people' there were

the playhouses and Paris Garden in London; in the country, May games, morris dancing, the fool, the hobby horse, with carols and wassail at Christmas. The duke commended dancing, and noted king James's approval of that exercise. Are not poisonous humours sweated out in a tarantelle?

The duke of Newcastle was describing a civilization which by 1660 was becoming little more than a reminiscence; but in England survivals are long-lived, the sentiment for the past is deeply rooted, and an age is to be judged not alone by the wisdom of the statesman or the originality of the pioneer, but by the less articulate conservatism of the 'ordinary' man. Within little more than a generation there was to emerge a new England, endowed with a constitutional monarchy, divided by a party system; tolerant but critical, devoting her best energies to maritime and commercial expansion, and committed to a policy of active intervention in European affairs; an England more serious of purpose and more conscious of its potentialities than any of which the earlier Stuarts had dreamed. How great was this change can be measured only against the weight of opinion which resisted innovation. But the change was an insensible one, and the duke's dissertation has this value, that it depicts that attachment to tradition which at times has proved a silent but powerful force in the evolution of the English nation, a sentiment to be illustrated in the events which form the theme of this book.

It is at least certain that the counsels of the dissertation had no influence on royal policy; for its extreme length precludes the hope that Charles ever read it.

IV

THE RESTORATION SETTLEMENT

THE restored king was thus described by one who knew him:

He is somewhat taller than the middle stature of Englishmen; so exactly formed that the most curious eye cannot find any error in his shape. His face is rather grave than severe, which is very much softened whensoever he speaks; his complexion is somewhat dark, but much enlightened by his eyes, which are quick and sparkling. Until he was near twenty years of age the figure of his face was very lovely, but he is since grown leaner; and now the majesty of his countenance supplies the lines of beauty. His hair, which he hath in great plenty is of a shining black, not frizzled, but so naturally curling into great rings that it is a very comely ornament. His motions are so easy and graceful that they do very much recommend his person when he either walks, dances, plays at pall mall, at tennis, or rides the great horse, which are his usual exercises. To the gracefulness of his deportment may be joined his easiness of access, his patience in attention, and the gentleness both in the tune and style of his speech; so that those whom either the veneration for his dignity or the majesty of his presence have put into an awful respect are reassured as soon as he enters into a conversation.¹

Personal attractiveness was matched by varied accomplishment. His French was fluent; he understood Italian and Spanish; Mathematics he had studied so far as it concerned fortification; he had read 'choice pieces' from the *Politics* (of Aristotle); he was skilled in Navigation, and knew something of Modern History. Most of these things were part of the formal training of a prince; but of one unusual subject he had made a special study, that of reading character from the face. He was keenly interested in books treating of this topic,² and his career amply illustrated the measure of his proficiency in the art. To the patriotism, moral courage, and self-sacrifice which have been eulogized by his more recent biographers he made no claim.

¹ Sir Samuel Tuke, *A character of Charles II* (1660).

² He read with interest the *Physionomia* of G. B. della Porta (*Miscellanea Aulica*, 124).

Charles II was built on simple and straightforward lines rendered elusive and mystifying by the cynicism engendered of experience. He might well have endorsed the avowal of Bunyan's *Mr. Lustings*: 'I was ever of opinion that the happiest life a man could live on earth was to keep himself free from nothing that he desired . . . and I have never been false at any time to this opinion of mine.'¹ This quality of frankness, with his mental alertness and unfailing shrewdness, he may have derived from his grandfather Henry IV of France, while from his father Charles I he appears to have inherited little more than a supreme sense of the dignity of kingship. So far as he had any religious convictions, he respected Roman Catholicism for its authoritative traditions, and because the ministrations of its priests appeared to provide a spiritual hygiene suitable to a temperament such as his; indeed, like his old fellow exile, cardinal de Retz, he may have thought that, if a man must have a religion, he should choose a 'decent' one. Fond of novelty, lazy and intolerant of routine, he succeeded in combining kingship with comfort and even amusement at a time when there was no cabinet to bear the responsibilities of policy, thereby mingling decision and inactivity with such exact balance as both to strengthen the prerogative and postpone the revolution. As a man and as a Stuart he was a remarkable exception. As a Stuart, he was able to abide tobacco,² he had a sense of humour, and he knew when to yield; as a man, he had the gift then known as second-sight, and after thirty years of age he had nothing more to learn. His jests served to disarm his associates, as his intuition enabled him to read their minds; where others excelled in cleverness, industry, or virtue, he concealed instinct, determination, and a sound political sense. Such were his assets; his most serious liability was his brother James.

Of the king's ministers the greatest was Edward Hyde, created lord chancellor in 1658 and earl of Clarendon in 1661. In his autobiography he drew this pen-portrait of himself in earlier years:

He rather discoursed like an epicure than was one. He was in his nature inclined to pride and passion, and to a humour between wrangling and disputing, very troublesome, which good company

¹ Bunyan, *Holy War*.

² *Savile Correspondence* (Camd. Soc.), 196.

in a short time so much reformed and mastered that no man was more affable and courteous. His integrity was ever without blemish and believed to be above temptation. He was firm and unshaken in his friendships.¹

This character-sketch is somewhat nebulous, and indistinctness still clouds the vision of posterity as it views Clarendon in the long line of English statesmen. His personality was certainly more complicated than that of Wolsey or Burghley, who were framed in coarser, or at least simpler moulds; on the other hand he was lacking in the richer humanity of Walpole and Chatham. The suppression of passion to which he confessed may account for a certain rigidity of temperament, as the irritability of his later years may have been due to gout. His real character² can be as little determined from his own eulogy as from the diatribes of his opponents.³

Lack of vision and lack of sympathy were probably the chief defects in Clarendon's character. He showed the one by his comparative indifference to the problems of colonial administration, and by his supine acquiescence in a foreign policy which subordinated the English Court to France; the other defect was reflected in his attitude to the nonconformists; indeed, he was completely unsentimental in regard to that which stirred most deeply the passions of his contemporaries, for he believed religion to be not a spiritual experience, but a social cement, binding the subject tightly into his place in this world. These defects might have been compensated for by agility; but in this respect the Clarendon of 1660 was no match for the younger men who were then wriggling out of obscurity. He had a genius for friendship, but not enough imagination to see an opponent's point of view; as he himself admitted⁴ he was 'uncounsellable', and this impenetrability hardened with years and change. His eminent gifts were best suited for a static world where rigid economy would not be counted for avarice, nor high-handedness for corruption; a world where dignity was a virtue and

¹ *Clar. Cont.* i. 77-8.

² For a brilliant character-sketch see sir Charles Firth's *Edward Hyde, earl of Clarendon* (1909).

³ For a collection of these see G. Agar Ellis, *Historical enquiries respecting the earl of Clarendon* (1827).

⁴ *Clar. Cont.* iii. 170.

change a vice. He had brought the chosen people out of the wilderness; it might have been a kinder fate for him and for England had he been withdrawn at the moment of achievement, since his almost patriarchal austerity served only to reveal the contrast between the old world and the new. Aloof from the petty meanness of his personal enemies, he retained his statuesque composure in defeat as in success; and he could at times retreat from turmoil into a concealed and ordered inner life. These were his 'vacations' in which he reflected on his actions. The first of them was when he lived in Jersey before the prince of Wales went into France; the second was his two years' embassy in Spain (1649-50); the third was his banishment.¹ The last of these retreats was fruitful; for to it we owe the completion of the *History of the Rebellion* and the *Autobiography*.

Among the relatives who had shared in the royal exile were James, duke of York and Albany, three years younger than Charles, on whom were conferred the offices of lord high admiral and warden of the Cinque Ports; the king's mother Henrietta Maria, aged 51 in 1660 and still, so far as was in her power, a baleful influence on the House of Stuart; his sister Henrietta Anne ('Minette'), 16 years old, afterwards duchess of Orléans; the only one of his surviving relatives for whom Charles had any affection. Of the great officers of state, the most notable was Monck, appointed captain-general of the Forces, lord-lieutenant of Ireland, master of the horse, and duke of Albemarle; James Butler, lord steward of the Household and marquis, afterwards duke of Ormonde; Thomas Wriothesley, earl of Southampton, lord high treasurer, one of the most devoted and respected of the king's entourage. None of these men was over 52 at the Restoration; but they were mostly somewhat older than their years, and all of them were temperamentally unlike the king, who was more than twenty years their junior. Only Monck and Southampton, neither of whom had spent an exile abroad, could claim to be distinctively English in training or outlook, but neither had any considerable influence on policy; and so, from the outset there was a foreign or at least un-English element in Charles's innermost counsels.

Abroad, the restored monarchy was represented by Henry

¹ *Clar. Cont.* iii. 458-9.

Jermyn, earl of St. Albans, a close confidant and possibly the husband of Henrietta Maria; in Portugal and afterwards in Spain by the poetic sir Richard Fanshawe; in Holland by the wily George Downing, noted for his dislike of the Dutch, his knowledge of finance, and his ingenious explanation of his earlier republicanism.¹ Others who helped to maintain some continuity between Commonwealth and Monarchy included sir John Maynard (now an active prosecutor for the crown) and Arthur Annesley, soon to be earl of Anglesey. Successful transition was also illustrated by Anthony Ashley Cooper, baron Ashley and chancellor of the Exchequer after 1661; and by Edward Montagu, earl of Manchester, lord chamberlain of the Household. Among the younger generation were George Villiers, duke of Buckingham, privy councillor and gentleman of the Bedchamber, and Henry Bennet, recalled from the embassy at Madrid to be keeper of the Privy Purse. Administrative aptitude and personal integrity were embodied in sir Edward Nicholas and sir William Morrice, the two principal secretaries of state. Nicholas, now nearly a septuagenarian, was specially noted for the faithful service he had rendered to Charles I; Morrice has already been referred to for his part in promoting the Restoration.²

Before the king's return to England, the main terms of a settlement had been announced by the advisers of the exiled Court. In his letter to the House of Commons Charles had expressed the hope that the Commons would be as circumspect regarding the royal honour and authority as of their own liberty and property; in the Declaration of Breda he had declared a general pardon to all (except to such as should be excepted), and had promised a 'liberty to tender consciences', coupled with a willingness to assent to an Act for securing these objects. To parliament also was referred the vexed question of grants and purchases of lands. In so far as the Restoration was conditional, these were the conditions. They were acceptable to a majority of the nation. The Presbyterians were thereby encouraged to think that room might be found for their system in an established church, either by a 'comprehension', or by a compromise, to be achieved by concessions on both sides; so too the plundered

¹ He attributed this to his training in New England.

² *Supra*, 26.

Cavaliers awaited the reward of sacrifice, and the soldiers hoped that their titles to land acquired during the Usurpation would be confirmed. In the background was the Court, gratified that the Restoration had been effected on the minimum of commitment, and that these vague concessions were subject to parliamentary ratification.

It was first necessary to establish some measure of continuity with the past. On June 1, 1660, Charles gave his assent to Bills intended to secure this continuity. By one of them,¹ the Long Parliament of 1640 was declared to be fully dissolved and determined, and the Lords and Commons then sitting at Westminster were proclaimed to constitute the two Houses of Parliament, notwithstanding the absence of the king's writ at their summons. By another statute,² judicial proceedings were to be continued, so that writs and processes already issued under any of the Commonwealth styles might still be acted upon. This latter Act retained two legal reforms of the Commonwealth—that whereby English was made the language of the courts and the law books,³ and that enabling the tenant or defendant to enter the general plea of Not Guilty, and so join issue at once without the preliminary production of evidence in bar of the action.⁴ Continuity of legal process was made still more effective by a statute, generally called the Act for Confirming Judicial Proceedings,⁵ which provided that no fines, verdicts, or judgements (other than sales of estates by ordinance of pretended parliaments) made since May 1, 1642 should be void for want of legal authority in the courts whercin they had originated; but the right of appeal against the decision of a Commonwealth court was safeguarded. Throughout this law-making the Convention acted on the assumption that whatever had been decreed by one or both Houses without the participation of the king was illegal; but, on the other hand, a certain proportion of Commonwealth legislation was embodied in that of the Convention and other parliaments.⁶ It was the Cavalier Parliament which, by its first statute, annulled all Acts or Ordinances for levying troops, raising money

¹ 12 Car. II, cap. i.

² *Ibid.*, cap. iii.

³ *Acts and Ord.* ii. 455-6, Nov. 22, 1650.

⁴ *Ibid.* ii. 442-4, Oct. 23, 1650.

⁵ 12 Car. II, cap. xii.

⁶ For this see sir Charles Firth in *Acts and Ord.* iii. xxxi sqq.

or imposing oaths to which the royal assent had not been given.¹

In these measures parliament mingled moderation with expediency, and avoided the enunciation of abstract principle. More debatable was the legislation directly resulting from the promises laid down in the Declaration of Breda, for the consideration of which document the Commons appointed a committee² on May 3. The result of this committee's deliberations was the Bill of General Pardon, Indemnity, and Oblivion introduced to the House on May 9. Its terms were debated with steadily increasing acrimony. The first resolution was that the surviving regicides should be secured, and that, of those who had sat in judgement on Charles I, 7 should be excepted in life and estate. Of the 67 'regicide judges' 44 were still alive; the designation of 'regicide' was, however, extended to include those 11 who had taken part in the trial, but had not signed the death warrant.³ Four, namely Bradshaw, Ireton, Cromwell, and Pride, were posthumously attainted (May 14); of the living, the 7 already doomed were soon increased to 12 by the addition of 3 officials at the trial and the 2 (unknown) executioners. Still unappeased, the Commons decided to select for death 20 persons, not actually regicides, but notable for their part in the Usurpation; and thereupon the patience of Charles and Clarendon was sorely tried by long delay while the House, egged on by Prynne, selected its victims. Not till July 11 was the Bill ready for the Lords, who, even more merciless than the Commons, proposed capital punishment for all the king's judges, whether they had signed the death warrant or not.⁴ But as the more judicious counsels of Clarendon prevailed, they abandoned this demand.

The Bill of Indemnity⁵ received the royal assent on August 29, 1660. It bestowed a general pardon for all treasons, felonies, and numerous other offences committed since January 1, 1637, by any 'colour of command' from the late king Charles, or from the present king, or by any pretended authority derived from either or both Houses. All acts of hostility between king and parlia-

¹ 13 Car. II, stat. i, cap. i.

² C. J. viii. 8.

³ Masson, *Life of Milton*, vi. 33-8.

⁴ *Parl. Hist.* iv. 84.

⁵ 12 Car. II, cap. xi.

ment were to be consigned to perpetual oblivion; and any one guilty of reproaches tending to recall the memory of the late differences should, if a gentleman, forfeit the sum of ten pounds; if of lesser degree, forty shillings. The Bill excluded by name thirty living persons, together with the two (unknown) executioners; in addition, twenty-four deceased regicides were attainted as to their estates, and six of the surviving regicides were excepted for punishment other than capital. In another category were placed nineteen living regicides, who were also excepted from the general pardon, but with a proviso that, in the event of their being attainted for high treason, their fate should be suspended until the king, by advice and assent of both Houses, ordered their execution. Lambert and Vane were nominally excepted, but there was an informal undertaking to petition the king on their behalf. Against Milton, proceedings were threatened because of the literary aid which he had lent to the Commonwealth; these, however, were abandoned through the private intervention of Clarges, Morrice, and Annesley.¹

More urgent than revenge was the problem of finance. At the moment of the Restoration, the total amount of national indebtedness amounted to about three million pounds, for none of which did the legislature accept complete responsibility. There were the public and private debts of Charles I; the borrowings of Charles II in exile, and also the accumulated arrears of Commonwealth and Protectorate administration. The Convention was not unwilling to honour the first two classes of liability, but failed to find a means of doing so; succeeding parliaments evaded the question, leaving Charles to settle as much of his father's and his own obligations as he could from his normal revenue.² Of the third group, the most urgent consisted of arrears of pay due to the military and naval forces at the time of the Restoration, amounting by November 10 to £680,000;³ in addition to which there was a standing Navy debt, estimated in March 1660 at £694,112.⁴ As the immediate necessity was disbandment, parliament ordered the levy of assessments

¹ Masson, *Milton*, vi. 187.

² *Cal. Tr. Bks.*, 1660-7, xvi-xviii, Dr. Shaw's introduction.

³ *Ibid.* xii.

⁴ *Cal. S.P. Dom.*, 1659-60, 383.

at the rate of £70,000 per month for a total period of eleven months, together with a Poll Tax, estimated to yield £210,000. The greater part of the revenue from these taxes, amounting in all to nearly a million pounds, was assigned to paying off the forces, a process not completed until February 1661, when 18 regiments of foot, 13 regiments of horse, and 59 garrisons had been paid off.¹ To each non-commissioned officer and man an additional week's pay was given, and the Act providing for their dismissal facilitated their re-entry into civil life by absolving them from the customary requirements of apprenticeship, a concession modelled on a precedent set during the Usurpation.² Monck's Life Guards and his regiments of horse and foot remained on a permanent but somewhat informal establishment.³ To the bravery and discipline of the disbanded troops Clarendon paid an eloquent tribute, coupled with the somewhat elusive statement: 'the only sure way never to part with them is to disband them'.⁴ This proved to be the real difficulty; they were disbanded, but not parted with; hence the frequently reiterated proclamations ordering their departure from London, where they had many associates, with whom they were said to be concocting republican plots. More than any of the religious bodies, these ex-soldiers were a danger to the re-established monarchy, and their activities can be traced in all the movements directed against it.

There was still the problem of providing an adequate revenue for the crown. In regard to one of the sources of this revenue, the Convention had already made up its mind; for early in May the Commons indicated that they proposed to confirm the abolition of the Court of Wards; while, on his side, Charles expressed a willingness to forgo the large arrears in respect of wards, licences on alienation, purveyance, and respite of homage.⁵ Having settled this preliminary, a committee of the Commons proceeded to examine the sources of royal revenue in

¹ The order of disbandment was determined by drawing lots at successive meetings of the Privy Council. *P.C. Reg.* 54, Sept. 14, 1660.

² *Acts and Ord.* ii, 1006-7.

³ C. Walton, *History of the British Standing Army*, 3 sqq.

⁴ Clarendon's speech at the adjournment, Sept. 13, 1660, *L.J.* xi. 174.

⁵ *C.J.* viii. 107, July 13, 1660. The Court of Wards had already been abolished by Ordinance of the Commonwealth.

order to formulate proposals, and the surviving minutes¹ of its meetings reveal the extraordinary mixture of fact and aspiration on which Charles's revenue was assessed. It was first thought that a total hereditary grant of £864,586 might be raised by taking the yield from the Customs at £400,000 per annum (the usual parliamentary estimate): Excise, £250,000; Crown Lands, £100,000; Post Office, £21,000; the remainder to come from a number of small miscellaneous items, including a very conjectural £18,600 from the compositions of recusants. On the expenditure side the committee was agreed (and the Commons accepted their figures) that the yearly cost to the crown of the peace-time administration would amount to £1,200,000. How was the difference (more than £300,000) between estimated yield and expenditure to be made up? With this problem the committee reinvestigated its figures. Having examined the Customs returns as far back as 1642, they found that for the current year these might amount, not to £400,000, but to £354,176; they thought, nevertheless, that the higher figure could be raised 'if new powers be given for the due collecting of them' [the Customs]. So too with the Excise; only 'if better collected' would it yield £250,000. The discussion was then (July 20) transferred to the whole House in committee. It was there resolved to advance the Excise to £400,000, 'if it be now short of that value'; but even thus it was clear that some new tax had to be devised. A proposed imposition on salt was rejected; it was then thought that 'paper and parchment' might be taxed, and it was decided that Bills should be brought in for regulating wine licences and the office of post-master. The proposed tax on paper and parchment took effect later in the Law duties;² wine licences³ and the post office⁴ each contributed a small revenue; but these three sources together did not make up more than a fraction of the deficiency between the Commons' generous estimate of the yield from the hereditary sources and the sum of £1,200,000 which they admitted to be necessary for the civil administration. On

¹ *Shaftesbury*, xxxiv, no. 20, June 27–July 23, 1660. See also Dr. Shaw's introduction to *Cal. Tr. Bks., 1660–7* for the subject of Charles's revenue in general.

² 22–3 Car. II, cap. ix.

³ 12 Car. II, cap. xxv.

⁴ 12 Car. II, cap. xxxv, and 15 Car. II, cap. xiv.

their own figures, they recognized a gap of at least £300,000; the experience of the first seven years of the reign showed it to be nearly £400,000 per annum.¹

There was another obscurity in regard to the king's revenue, never wholly dispelled. The estimated £1,200,000 did not allow for extraordinary expenditure, such as that entailed by war. As late as 1678, when the Commons insisted that the crown should embark on war with France, one of the best-informed members of the Commons, sir T. Lee, contended² that, from his peace-time revenue Charles should defray the costs of this proposed war. Moreover, as mismanagement and increasing debt charges diminished still further the inadequate allowance thus provided, the inevitable consequence for the crown was bankruptcy, and for the legislature confusion and suspicion. But in 1660 no one could have foreseen that, with the development of English industry and commerce, the revenue from Customs and Excise would eventually reach such a figure as to make Charles and his successor independent of parliament.

The net result was that Charles could depend for life, and independently of parliamentary grant, on two main sources of revenue—the Customs and Excise, together yielding at first between £600,000 and £700,000 per annum, and later in the reign an average of about a million per annum. The remainder of his non-parliamentary revenue was derived from sources some of which were more picturesque than profitable. He was soon to have a fluctuating return from a tax on hearths; as a substantial but decaying landlord he still received about £15,000 yearly from the duchy of Cornwall (which cost £5,000 to collect),³ and a revenue of about £50,000 from fee-farm rents (most of which were soon to be sold).⁴ He continued to derive variable sums from the tin and logwood farms, the transport of skins, the sale of alum, the carrying of water to Westminster, and the postage of letters. Institutions such as the Society of Music, the Company of Frame-Work Knitters, and the Company of Tobacco Pipe Makers paid him a small annual sum; and though, by the abolition of the Court of Wards, he parted company with the wards

¹ *Cal. Tr. Bks.*, 1660-7, xxxv.

² *Grey*, v. 27.

³ *Ibid.* i. 266.

⁴ 22 Car. II, cap. v. See also *infra*, ii. 431-2, and *Cal. Tr. Bks.*, 1672-5, xii-xiii.

and widows, he was left with the custody of 'natural fools' or idiots, from which he derived a modest fee.

These matters were further complicated by their association with an event having an even wider historical interest—the statutory abolition of the Court of Wards.¹ In compensation for all the emoluments hitherto accruing from this source, it was resolved to settle one-half of the Excise perpetually on the crown² (a moiety assumed to have a value of at least £100,000 per annum), while the other half was settled on Charles for life.³ This had not passed the Commons without debate, as some members were hotly opposed to the Excise, while others thought that it would be better to retain and regulate the Court of Wards than to impose an increased tax which might need an army to enforce it.⁴ The fiscal effect of the new arrangement was that, in place of income derived from landowners holding of the crown, there was substituted an additional tax on beer, cider, and tea, falling on rich and poor alike. There were also social consequences. The preamble to the Act taking away the Court of Wards and Liveries recited that this court, as well as tenure by knight service of the king, had become more burdensome to the kingdom than beneficial to the crown; that, moreover, since the intermission of the court (i.e. since 1645) many persons had disposed by will and otherwise of lands held by these tenures; for these reasons the Statute abolished the Court of Wards with tenure by knight service (of the king or of others),⁵ and converted that tenure into free and common socage. The Act did not affect rents or heriots from crown lands due in respect of tenements other than those held by knight service; nor did it abolish tenure by grand sergeanty nor tenure by copy of court roll; but purveyance, with provisioning and pre-emption for the royal household was taken away.

In this way statutory effect was given to a change, first proposed in the reign of James I, and carried into effect by the

¹ 12 Car. II, cap. xxiv.

² Ibid.

³ Ibid., cap. xxiii.

⁴ *Parl. Hist.* iv. 148.

⁵ There was at least one instance of this. In 1672 the Treasury compounded with John, earl of Dover, for his losses consequent on this abolition. His tenants of the manor of Conisborough had held of him by knight service. *Cal. Tr. Bks.*, 1669-72, 1287.

Ordinance of 1645. By the institution of the Court of Wards Henry VIII had preserved from threatened desuetude the feudal dues and services owing by his tenants-in-chief, and had thereby capitalized the surviving incidents of medieval allegiance. To the tenants of the crown by military service, great and small, the change must have been welcome; since it relieved them from disabilities thus described by Blackstone:¹

The heir, on the death of his ancestor, if of full age was plundered of the first emoluments arising from his inheritance by way of Relief and Primer Seizin; and, if under age, of the whole of his estate during infancy. And then, as sir Thomas Smith very feelingly complains, 'when he came to his own, after he was out of wardship, his woods decayed, houses fallen down, stock wasted and gone, lands let forth and ploughed to be barren', to reduce him still further, he was yet to pay half a year's profits for suing out livery, and also the price or value of his marriage. Add to this the untimely and expensive honour of knighthood to make his poverty more completely splendid; and when by these deductions his fortune was so shattered and ruined that perhaps he was obliged to sell his patrimony, he had not even that poor privilege allowed him without paying an exorbitant fine for a licence on alienation.

The tenures so abolished were, it might seem, mere anachronisms; for land, once a unit of jurisdiction, had for long been an object of investment and development. Military service was now only an ornamental relic; 'feudal' bonds survived only at coronations and ceremonial occasions; and so, by sweeping away all these *disjecta membra* of the past, the statute might well seem merely to have abolished what was already dead. But it is possible that full justice has not been done to the historical importance of the change. Its immediate effect was that the crown, by the loss of purveyance, had to pay from £70,000 to £120,000 more for household expenses.² There were more important consequences. The Court of Wards was not a 'feudal' but a Tudor institution, having for its purpose not to enforce military service, but to extract money from and to exercise personal control over a large proportion of the landed classes. That Court had levied what was tantamount to an elaborate system of death and succession

¹ Quoted in Digby, *History of the law of real property*, 4th ed., 391-2.

² *Cal. S.P. Dom.*, 1663-4, 420.

duties, with the difference that these fell entirely on one class—the landed class, whose emancipation was thus achieved by spreading their burden over the community in general. This was not all. Enforced sale of fee-farm rents completed the severance of the sovereign from the land, and thereby the older conception of monarchy was exchanged for one which, while still biblical in sentiment, was ceasing to be territorial, and had not yet become official. The full extent of these sacrifices was concealed behind the consummate skill with which Charles wielded this changing and anomalous prerogative; but nevertheless the Statute Book bears eloquent witness to the gathering strength of that landed class which was soon to dictate to the crown. Nor should it be forgotten that, in his manorial courts, the landlord continued to enforce the personal supervision from which he had himself escaped.

More difficulty was experienced in settling the questions of the Land and the Church. During the Usurpation many territorial families had been displaced by a host of new-comers, and it was in land that the Royalists had had to pay for their loyalty. An edict¹ of 1644 had inaugurated a system whereby all of royalist inclinations, even if they had not taken up arms, were obliged to compound for their estates. The owner had to make his terms with the Committee for Compounding, the fines varying from two-thirds to one-tenth of the value; nor, until the whole fine was paid, was he free from the threat of sequestration. Throughout the fifteen years during which this policy was intermittently enforced, many estates had been divided or sold in order to provide money for the fines, with the result that great quantities of land were thrown on the market, and so the price was depressed. Between 1643 and 1649 alone the money received from sequestered estates amounted to £209,547.²

Independently of this compounding, whether voluntary or enforced, were the sale of royal goods and land, and the large fines on wealthy peers and commoners. With the increasing financial difficulties of the Commonwealth, still larger measures of confiscation had to be carried out, and three Acts of Sale,³ promulgated in 1651–2, vested in trustees the estates of 719 named

¹ Printed, *in extenso*, in *Calendar of Committee for Compounding*, V. vi–ix.

² Ibid. V. xxxii.

³ *Acts and Ord.* ii. 520, 591, and 623.

persons, including the duke of Buckingham, the earl of Newcastle, the earl of Worcester, the earl of Derby, the marquis of Winchester, lord Craven, and sir Edward Hyde. These enforced sales were afterwards considered in a different light from the sacrifices of those persons who had sold in order to compound. There was still another class of confiscated estate—the lands of the Church, estimated at the capital value of £2,400,000.¹

Early in July 1660 a Bill, drafted in the interests of the purchasers of crown and church lands, formulated some general principles of a land settlement. As it was opposed by the Royalists, the Commons agreed to omit from its scope all the crown lands, and refer the amended Bill to a committee of the whole House.² Nothing further was heard of it. The only legislation on the subject consisted of two somewhat vague clauses in the Act of Indemnity and the Act for the Confirmation of Judicial Proceedings, of which the first provided for the immunity of bona-fide purchasers of lands, not being church or crown lands, nor lands sold or given for the delinquency or pretended delinquency of any person in the period January 1, 1641–April 25, 1660; while the second Act contained a clause to the effect that sales of estates in virtue of any parliamentary ordinance since May 1, 1642, were neither nullified nor confirmed. All that could with certainty be deduced from these clauses taken together was that crown and church lands must be restored; there was less certainty in regard to land sold by parliamentary ordinance; and no legislative provision whatever for land sold ‘voluntarily’, that is, under economic or other pressure. Further proof of the inadequacy of the legislation is supplied by the fact that some of the more notable Royalists, such as the marquis of Newcastle, lord Gerard of Brandon, and lord Culpeper, were specially provided for in private Bills, a course which would not have been necessary if the statutory enactments had been clearly defined. What appears to be certain is that purchasers of crown lands were dispossessed altogether; those who had bought church lands were either ejected or retained as tenants; those who had sold their land in order to help the royal cause, or to pay the heavy fines imposed

¹ Sir C. H. Firth, in *Cambridge Modern History*, v. 95.

² *Parl. Hist.* iv. 80. There does not appear to be any evidence of the terms of the Bill

on their loyalty received no compensation. Purchasers of land which had actually been confiscated by the state did not have a valid title, but they do not appear to have stirred until moved by civil action or by special petition to the Lords.¹ So far, therefore, as there was any principle in this settlement, it was to restore crown and church land to its rightful owners; to confirm possession acquired by private contract, and to secure complete restitution for certain favoured persons.

No formula could have satisfied all parties. The Convention legislators may have acted on the principle that the settlement was best which entailed least dislocation; for wholesale restitution would have penalized many 'under-purchasers' who had acquired their land in good faith, and had paid for it nearly as much as its value on the best title. Nor was it always a simple matter of purchase and sale; for the question was entangled with marriage settlements, trusteeships, and mortgages; whole streets of new houses in London had been built where formerly there was royalist land; many copy-holders had surrendered their old estates for lives or years, and had bought the freehold in order to give a title to their sons.² Among the discontented were two main classes—the purchasers ejected from crown lands, and the impoverished Royalists whose sacrifices went unrewarded because 'voluntary'; but on the other hand a large new class of landowner was confirmed in possession—the tradesmen, merchants, and soldiers who had bought estates, large and small, with their savings. The entry of this new class into English life broadened the basis of allegiance to the crown;³ it also altered the character of English landownership by introducing into its ranks men who, in the Usurpation, had acquired a habit of restiveness under another man's yoke, a concerted and not unintelligent restiveness, occasioned by high principles rather than by high spirits, and calling for a readjustment of relations between driver and team. Whiggery may have begun when lay-preachers acquired real estate.

For the 'loyal and indigent officers' who had served under

¹ For this see the numerous petitions to the Lords in *H.M.C. Rep.* vii, app., pt. i. 86 sqq. *MSS. of the House of Lords.*

² *Considerations offered to public view* (1660) in *Bodley*, p. 1119.

³ K. Feilins, *History of the Tory Party*, 101.

Charles I and had remained faithful to his son a slender provision was made by the legislature. A sum of £60,000 was ordered to be divided among such of them as had no means of livelihood, their claims to be determined by commissioners appointed for each county.¹ For those able to work, some prospect of employment was held out in the Act² licensing hackney coachmen, a clause of which gave preference to 'ancient coachmen' and to those who had suffered in the royal cause, a concession which proved of little value; because, after paying £5 for their licences the ex-sufferers found the streets of London filling with unlicensed drivers.³ A like fate seems to have overtaken the monopoly of lotteries granted for six years to the 'Truly Loyal Indigent Commissioned Officers'; for these men complained that the commissioners appointed to administer the lotteries on their behalf had defrauded them of the profits,⁴ and that the crown ignored their monopoly by granting lotteries to other persons.

As Clarendon was blamed by the plundered Cavaliers for the land settlement, so he was blamed by the Presbyterians for the church settlement.⁵ Having contributed notably to the reinstatement of the king, and having some claim to establishment, or at least a desire for it, the Presbyterians never forgot that Charles had signed the Solemn League and Covenant; and as he commenced his reign with no less than ten Presbyterian chaplains (all strictly rationed in their sermons) it might at least be presumed that he did not publicly reject the efficacy of Calvinist ministrations. In archbishop Ussher's 'Model' there already existed a plan for union, based on the surrender by the bishops of their claims *jure divino*, and their reduction to the status of

¹ 14 Car. II, cap. viii, and 15 Car. II, cap. iii.

² 14 Car. II, cap. ii.

³ *Rawl. MS. A.* 185, f. 229. Complaint of the Hackney Coachmen.

⁴ *P.C. Reg.* 64, Oct. 21, 1674.

⁵ The original documents relating to the settlement will be found in *Documents relating to the Act of Uniformity* (1862). See also E. Cardwell, *Documentary annals of the Church of England* (1839 and 1844), and *A History of Conferences . . .* (1840). For a very full modern account see J. Stoughton, *The Church of the Restoration* (1881). There is a good account of the subject in both R. Lodge, *Political History of England* (1660-1702), and G. M. Trevelyan, *England under the Stuarts*. Among excellent monographs relating directly or indirectly to the subject is that of F. Bate, *The Declaration of Indulgence* (1908).

presidents of synods; a scheme of mitigated episcopacy which, had it been accepted, might have combined the moderate Presbyterians of the Commonwealth with the Anglican clergy of the Restoration in one latitudinarian and non-prelatical body. Indeed, it was hoped by many that the troublous times of Laudian episcopacy were gone for ever, and that common ground might be found in that Elizabethan Protestantism wherefrom Anglicanism and Presbyterianism had first become differentiated.

In the Convention there were no advocates of a Laudian episcopacy. Many were for bishops, but no one was for 'lords bishops'; others contended that it was impossible to tell what was the discipline of the Church of England 'according to law'.¹ Eventually, the fundamental issue was laid aside, and the Commons contented themselves with a Bill for settling and restoring ministers to their livings.² This Act, while providing no protection for 'intruded' ministers, attempted to minimize the opportunities for eviction; and its terms show the willingness of the Convention to compromise. A similar spirit appeared to be reflected in the royal Declaration on Ecclesiastical Affairs,³ issued on October 25, 1660, wherein it was announced that differences of opinion in regard to ceremonies were to be left to the determination of a national synod; and, in the meantime, no one was to be denied the Lord's Supper because he refused to kneel; nor was any one to be obliged to bow at the name of Jesus, or to use the cross in baptism; there was also to be liberty in the use of the surplice. This temporary latitude, pending the settlement of differences, was to extend to all churches, other than royal, cathedral, and collegiate churches.

The Declaration was discussed by the Commons⁴ after their recess (Nov. 28) in order to embody its principles in a Bill. To some, it appeared to grant too large a measure of toleration; others were for leaving it as it stood, for reasons of expediency. The latter opinion was that expressed by secretary Morrice, on behalf of the government; time, he said, rather than legislation would do what was desired; in other words, the Court did not wish to make good the royal promises. To this view a majority of the Commons was won over, partly (it is said) by the personal

¹ *Parl. Hist.* iv. 82-3, July 16.

² 12 Car. II, cap. xvii.

³ In *Parl. Hist.* iv. 131-41.

⁴ *Parl. Hist.* iv. 153.

intervention of Charles himself.¹ So ended the deliberations of the Convention on ecclesiastical matters. They had passed an Act protecting beneficed clergy, provided they were not intruders; but the vital question of religious settlement they left untouched. In this they were the victims of circumstance. They were suspicious of the very generous terms of the Declaration, the verbosity of which may well have detracted from its effectiveness; moreover, had they drafted their Bill in accordance with its terms, it is doubtful if it would have passed the Lords.

In these ways the Convention Parliament succeeded in formulating a settlement which, by postponing debatable points, enabled the monarchy to entrench itself once more in English life. But, within the few months of its commencement, a notable change can be detected. At their first meetings, it might have been possible to make terms which would have embodied some of the hard-won achievements of the Long Parliament. Of this there was at least a hint when, on May 29, the Commons read and committed a Bill for the confirmation of the privileges of parliament, of Magna Carta, of the 'Statutum de Tallagio non Concedendo', and of the Petition of Right;² they also discussed a Bill for abolishing the titles conferred by Charles I after his retreat to Oxford.³ On August 10 they debated whether the Poll Bill should precede the Indemnity Act; until, wheedled by secretary Morrice's taunt that they were afraid of their own fears, they acted on his suggestion that confidence was their greatest obligation, and presented the Money Bill first, in spite of long parliamentary precedent to the contrary.⁴ They even discussed a motion that the king should be urged to marry a Protestant; but were reminded that, according to Elizabethan traditions, royal marriages were not the affair of parliaments.⁵ As they were suspicious of Roman Catholics, so they were suspicious of the crown's military resources, and in November they objected⁶ to a Militia Bill that it seemed to have 'martial law' in it. On all points, however, except prohibitions of Sabbath-breaking and profanity, the Presbyterian element in the Convention was

¹ Report of Ruvigny, Oct. 21–Nov. 1, 1660 in *Baschet*, 108.

² *Parl. Hist.* iv. 54.

³ Bordeaux's report, May 21–May 31 in *Baschet*, 107.

⁴ *Parl. Hist.* iv. 93–4.

⁵ *Ibid.* iv. 119.

⁶ *Ibid.* iv. 145.

defeated, and as the session neared its end the two notes of revenge on republicans and devotion to the crown became louder. Early in December 1660 it was resolved that the carcasses of Cromwell, Ireton, Bradshaw, and Pride should be drawn on a hurdle to Tyburn and there hanged up in their coffins;¹ a few days later money presents were voted to two persons who had assisted the king's flight from Worcester. These things symbolized the rising tide of devotion to the crown. On that tide were to be returned to Westminster men who had none of the qualities of circumspection and restraint wherewith the Commons of the Convention had effected one of the most remarkable changes in the history of England.

Of that transition neither Statute Book nor record of parliamentary debate can give more than a shadowy impression. The fugitive press and the drama are almost totally deficient as evidences of the national upheaval which followed the return of Charles Stuart; Pepys is clear but limited; of literature to which one might look for guidance there is a lack of everything except printed sermons. But from the thousands of petitions² which poured in on king, council, and parliament one may infer what the Restoration meant for many Englishmen. In one class were the petitions of those old servants of the king who expected restoration to their former offices; in this category were sergents-at-arms, king's printers, a master of the posts, a master of the barges, and the purveyor of wax for the Grand Seal. In another class were applications for restitution to college fellowships and headships, and city recorderships. Ecclesiastical promotions, governorships of forts, and revenue offices fill another class of petitions. For special provisos in the Act of Indemnity there were about seventy applications, and the Act for Confirmation of Judicial Proceedings accounted for another fifty.³ There were collective petitions, as from cripples who had sacrificed their limbs in His Majesty's service; from six hundred impoverished

¹ C.J. viii. 197.

² These will be found in many sources, notably in the *Calendars of State Papers, Domestic*, from 1660 to 1662. For a classification see *Cal. S.P. Dom.*, 1660-1, 83 sqq. See also, for the petitions to the Lords, *H.M.C. Rep.* vii, app. i. 79-175. *MSS. of the House of Lords*.

³ *H.M.C. Rep.* vii, app. i. 95-100.

Protestants who had lost their all in the Irish Rebellion; from 'many thousand' distressed prisoners for debt; from cities and boroughs complaining of the encroachments of men who had risen high in municipal politics during the time of troubles. Personal solicitations made to the king were legion, constant interruptions in his walks which may have trained Charles to develop that 'woonted large pace'¹ whereby he outdistanced petitioners, and so spared himself these public appeals to his generosity.

While England was settling down under the new dispensation, the Restoration settlement was being effected in the kingdoms of Scotland and Ireland, and in the plantations. The varied character of its reception in the plantations showed that some of the old leaven was still working. In Virginia and Rhode Island, where the loyalist party was in a majority, the king was speedily proclaimed; more tardy were Connecticut and New Plymouth, where devotion to the crown was not so intense. To scarcely any two colonies did the Restoration mean quite the same thing; thus, in Barbados there was ended that measure of dominion status which the island had enjoyed during the Commonwealth,² and the old Carlisle patent was revived; in Baltimore (Maryland) there was also a resumption of proprietary rights (in favour of the Calvert family). Massachusetts, on the other hand, did not fit into the categories of crown or proprietary colony; it was not only an anomaly in the American plantations, but was the enterprising leader of a confederacy of almost independent states, all of them incarnating the austere morality and uncompromising independence of early Puritan republicanism. Accordingly, there was both difficulty and delay in securing the proclamation of Charles Stuart in Massachusetts. 'It is not unknown to you', wrote an English agent,³ 'that they [the New Englanders] look on themselves as a free state . . . there being too many against owning the King, or their having any dependence on England.' Not till August 1661 was the king proclaimed in Boston, and then without enthusiasm, because of the threat of peremptory orders from the English Privy Council.

¹ *Diary of Henry Teonge* (1805 ed.), 232.

² V. T. Harlow, *Barbados*, 127.

³ *Clar. MS.* 74, f. 228, March 11, 1661.

More was to be heard of this claim to independence; and the reign of Charles II, though fruitful of experiments in colonial administration, brought with it problems of imperialism incapable of satisfactory solution on the principles of seventeenth-century statesmanship.¹

Ireland, more inert than the western possessions, was secured mainly by the efforts of two old servants of the Commonwealth—Charles Coote (afterwards earl of Mountrath), president of Connaught since 1645; and Roger Boyle, afterwards baron Broghill and first earl of Orrery, who commanded in Munster. Since the fall of Richard, these two men, sinking their differences, had co-operated in order to secure a safe passage for the returning monarch, and on May 14, 1660, Charles was proclaimed in Dublin. The Irish Celts had no reason to regret the end of the Cromwellian régime; and the English soldiery who controlled them appear to have made the same assumption as did Monck's troops—that they would be confirmed in their lands. This hope was not completely fulfilled, and accounts for most of the troubles that followed from the Restoration in Ireland.

The settlement was conducted mainly from London and by the Irish committee of the Privy Council. Lords Justices (including Coote and Broghill) and a Chancellor (sir Maurice Eustace) having been appointed, the executive was entrusted to Coote and major William Bury in their capacities of commissioners for the government of Ireland. The lord-lieutenancy was conferred on Monck, but as he was an absentee, a deputy (lord Robartes) was appointed, who also withheld his presence from Dublin and accepted the office of lord privy seal. For some time, therefore, there was considerable difficulty in determining who were responsible for the government of Ireland. The expressed intentions of the English privy council showed a desire to increase the efficiency of the Army, to maintain a higher standard of honesty among officials and to develop trade—provided this did not conflict with English interests. The expert knowledge of Ormonde and of Bramhall, bishop of Derry, was utilized in dealing with the great avalanche of petitions which poured in.

The Church was first restored. This was not difficult, because,

¹ For the Navigation Acts and the plantations see *infra*, 235–245; for the colonies and plantations generally see *infra*, ii, cap. xviii.

except in Ulster, episcopacy was the system most acceptable to the Protestants. John Bramhall, an old enemy of Presbyterians, was promoted archbishop of Armagh and primate of Ireland; in January 1661 ten of the surviving bishops were consecrated in St. Patrick's Cathedral. There then followed a settlement reflecting that carried out in England. By the Irish Act of Uniformity (1662) the Revised Prayer Book was imposed; benefices were restricted to those who had received episcopal ordination; oaths of non-resistance, conformity, and repudiation of the Covenant were required of all clergy and of all teachers, whether public or private. As for Roman Catholics, they were to suffer more from disability than from persecution. Their cause was represented by archbishop Peter Walsh, who strove to remove the ostracism from which they suffered, and succeeded in obtaining the release of a number of imprisoned clergy. An attempt was also made to induce the priests to sign a loyal remonstrance repudiating the right of any foreign power to absolve them from their allegiance; but the response to this appeal was poor, and so Ireland continued in her divided obedience. With the native Irish Charles and many of his Court were in sympathy, and their interests were ably sustained by Ormonde; but they remained a class apart, regarded with increasing suspicion by the English administration.

The land settlement was by far the most difficult question.¹ This was because there were so many claimants, and because, since the Irish rebellion of 1641-3, there had been so many dispossessions, beginning with the eviction of Roman Catholics, and followed by the confiscations and resettlements of the Commonwealth. Most of the best acres were occupied by two classes known as the Soldiers and Adventurers. Of these, the Soldiers held land in lieu of pay for their services in conquering Ireland from the Irish, while the Adventurers derived title from their loans of money to facilitate that object, in return for which land had been mortgaged to them on very favourable terms. Both classes of claimant derived their rights from a period anterior to the Usurpation, and could cite in their favour Acts of Parliament to

¹ For this see *Ormonde*, iv. 42-66; *Cal. S.P. Ire.*, 1660-3, Introduction; Bagwell, *Ireland under the Stuarts*. For a clear summary of a complicated matter see R. Lodge, *Political History of England, 1660-1702*, 44-52.

which Charles I had assented; but on the other hand these men had co-operated in Cromwell's Irish policy, and so were deemed an unsuitable type of Irish landlord, because undistinguished by personal connexion with the Court, and tainted with the venom of Commonwealth individualism. A nation of small free-holders would be difficult to govern on the standards of Clarendon. Of the other claimants there were the Roman Catholics and the Courtiers; in the end the Courtiers fared best.

By a Declaration issued on November 30, 1660, the Adventurers and Soldiers were confirmed in lands held by them in May 1659. The chief exceptions were church lands, which were to be restored to their former owners; also lands obtained in virtue of decrees in Cromwellian courts, and the lands of those who had opposed the Restoration. Provision was made, mainly in Wicklow, Longford, Leitrim, and Donegal, for officers who had served in Ireland before June 1649; and such officers were to be given preference in their claims to forfeited houses within walled towns; in this way it was hoped that the 'Forty-Nine Men', as these old loyalists were called, would provide the nucleus of a well-disposed population. Next, dispossessed Protestants who had not been in rebellion were to be restored, and wherever their reinstatement involved dispossession of Soldiers and Adventurers, these latter were to be compensated elsewhere. Lastly, the 'innocent' Papists, that is those who had not joined in the rebellion of 1641-3, were to give up their lands in Connaught and Clare, and to be 're-prised' from the lands of those Soldiers and Adventurers who had dispossessed them of their original holdings. These two last clauses obviously modified the grant of confirmation to Soldiers and Adventurers contained in the first clause.

The execution of this Declaration was committed to a body of thirty-six persons, most of them having private interests in Irish land, and there then ensued an interminable process of petitions, influence, and jobbery. First of all, the scope of the phrase 'innocent Papist' was restricted so as to exclude all who held their estates within the area occupied by the rebels during the first two years of the Rebellion, unless they could prove that they had been driven there for refuge. Then special provision was made for Monck, the Coote and Allen families, lord Massarene, and lord Cork. The commissioners next detailed the order in

which claims were to be settled—Protestants before Papists; those who had accepted compensation lands in the west after those who had not. The Adventurers had to give proof of title, by survey, if necessary; arrangements had also to be made for the collection of outstanding rents; concealed lands and forged titles were to be investigated. Throughout these resettlements there was continual conflict of Protestant and Catholic, English and Irish, Loyalist and Cromwellian, Episcopalian and Dissenter, all parties besieging the commissioners with claims which no human justice could have satisfied even had Ireland enlarged to twice its size. The general result was that, in spite of Charles's well-known inclinations in their favour, the Papists lost as against the Protestants, and the Cromwellian settlers had to give way to the Courtiers. It has been computed that of the 8,000 Roman Catholics who had formerly held land in Ireland about 1,300 were restored, and possibly as much as a fifth part of the ten million acres available was once more owned by Catholics.¹ The Catholic interest in Ireland was to be ruined not by the settlement of the Restoration, but by that of the Revolution.

Monck's resignation of the lord-lieutenancy in November 1661 was followed by the appointment of the one statesman who knew Ireland intimately and was capable of ruling it with sympathy and justice—the duke of Ormonde. He first signified the royal assent to the Act of Settlement passed by the Protestant parliament assembled in Dublin, an Act whereby lands forfeited since the Rebellion were declared to be vested in the crown for distribution according to the terms of the Declaration of November 1660. The same parliament granted subsidies from the clergy and laity, together with a hereditary revenue from the Excise and from Tonnage and Poundage. A hearth tax was substituted for the old feudal dues. Thus far the Soldiers and Adventurers, who formed a majority in the Irish House of Commons, had signalized their loyalty and their gratitude for the promises of confirmation held out by the Declaration and embodied in the Act of Settlement. But the difficulties inherent in that settlement, and the limitation in the number of Irish acres, became more distressingly obvious as the innumerable claims were adjudicated. In England it was soon felt that too much had been conceded to the Soldiers and

¹ W. F. T. Butler, *Confiscation in Irish History*, 198-200.

Adventurers; and the increasingly Papist character of Charles's entourage prompted a modification of the settlement which, while securing the Protestant interest, discriminated more definitely against those Protestant claimants whose careers savoured of Cromwellianism. Accordingly, after the Irish Parliament had been carefully packed, an Explanatory Act was passed in 1665, the main provision of which was that the Adventurers and Soldiers were to be confirmed in only two-thirds of their lands, and that Adventurers claiming on the 'doubling ordinance' of 1643 were to have land, not of twice the value of their subscriptions (as allotted to them by that ordinance), but of only two-thirds of that value. In order to effect a readjustment on these terms, a new Court of Claims was instituted. These provisions did not redress the balance in favour of Papists; but their execution, at the expense of Soldiers and Adventurers, increased the amount of land at the disposal of the crown, and the absentee Irish landlord thus became an institution.

In both England and Ireland the Restoration settlement showed a moderation when contrasted with that in Scotland. The northern kingdom could boast a more general devotion to the Stuarts than could her southern neighbour; for she had produced neither Sectaries¹ nor Regicides; ever since 1648 most of her native leaders had parted company with the English parliamentarians, and had exerted themselves on behalf of the royal cause; moreover, many of them had fought at Worcester on Charles's behalf. Throughout the Cromwellian domination the country had suffered in sullen poverty, hoping for the return of her crowned and covenanted king. Cromwell had taken the Scots into partnership in a legislative union; hence a Stuart would be at least as sympathetic to Scottish interests. The Declaration of Breda had encouraged the English Dissenters to hope for special consideration; much more, therefore, might the Scottish Presbyterians look for toleration in a country where they were in a majority. These hopes were doomed to speedy disappointment. The Union was tacitly abandoned, and the Navigation Acts excluded Scotland from the plantation trade; soon her only over-seas connexion, that with Holland, was to be ruined by

¹ The word Sectary was generally applied by contemporaries not to Presbyterians but to the numerous other exponents of dissent.

Anglo-Dutch hostilities. Even more, many of Charles's Scottish advisers (having forgotten their earlier Presbyterianism) turned on their mother church with vindictive energy, and attempted to destroy the one vigorous Scottish institution—the Kirk. It was in Scotland that Stuart principles of government had first suffered discredit; the lesson was to be repeated at the expense of the same kingdom.

In England the Restoration had commenced with the summoning and assembling of a representative parliament; in Scotland it began when Charles nominated the members of his privy council. The chancellorship was conferred on William Cunningham, earl of Glencairn, one of the 'Engagers' of 1648. He had suffered a term of imprisonment in Edinburgh Castle after an unsuccessful rising in 1654. The presidency of the Council was conferred on a more striking but less respectable person, namely, John Leslie, earl and afterwards duke of Rothes, then an ardent courtier of thirty, with a short term of imprisonment to his credit. His handwriting suggests immaturity, but in the accomplishments fashionable at the Restoration he was highly developed; and he had a boyish love for soldiers, or, as he himself expressed it: 'he lyked sogeris above all other wayes of living'.¹ As the Scottish equivalent for Buckingham (without Buckingham's wit) he had to be provided for; so when, in 1667, he had to be removed from the administration, he was consoled by his appointment to the chancellorship for life, in spite of almost total illiteracy. The post of lord high commissioner to the parliament of Scotland was conferred on John Middleton, first earl of Middleton, once a major in the covenanting army, but now remembered for his services at Preston and Worcester, and known to be zealous for the restoration of that episcopacy against which he had once fought. On John Maitland, second earl and afterwards duke of Lauderdale, was conferred the secretaryship of the Council. Descended from the adroit Maitland of Lethington, Lauderdale had once been an ardent Covenanter; but on the other hand he had suffered continuous imprisonment since Worcester fight, and was now securely established in the royal favour as a convenient instrument for Stuart policy in Scotland. For this he was well qualified by a combination of characteristics seldom found together; for

¹ Quoted in Dalton, *The Scots Army, 1661-88*, 15.

he was a Hebrew scholar, a dexterous manager, and an obsequious courtier; of a breed, in fact, quite unknown south of the border. He was also a convenient butt for the more obscene of Charles's practical jokes, and his virtues, but never his abilities, were steadily corroded by contact with his king.

The Scottish Church was divided into two parties, differing not so much in doctrine as in their attitude to the Stuarts. One party, known as the Engagers or Resolutioners,¹ was the more moderate and seemingly the more politic of the two; they believed that a Stuart might tolerate Presbyterianism. For some of these, the acceptance of episcopalian Presbyterianism was not difficult, since they were the party of accommodation and compromise. The other party, known as the Remonstrants or Protesters, had already (1650) rejected Charles Stuart until he should give better evidence of true allegiance to the Covenant; they were considered much the more bigoted, but they proved to be the more clear-headed. This party was strongest in the south-west, notably in Ayrshire and Dumfriesshire, where Calvinist Presbyterianism was to be found in its pristine rigidity. Both parties weresoon dealt with. The Committee of Estates, which exercised executive functions pending the meeting of parliament, ordered the imprisonment of a body of Protesters, and prohibited conventicles; while the Resolutioners were invited to read between the lines of Charles's letter to the Presbytery of Edinburgh (Sept. 3, 1660): 'We do resolve to protect and preserve the government of the Church of Scotland *as it is settled by law*.'

A select body of representatives of the nobility and royal boroughs, known as the Scottish Estates, met on January 1, 1661, under the presidency of Middleton. In its first session of six months the record number of 393 Acts was achieved. Coupled with the usual prohibitions of swearing, drinking, and sabbath-breaking was a legislative surrender, by which the power of choosing ministers, summoning and dissolving parliaments, and making war and peace were unreservedly conferred on the crown;² this, together with the grant of an annual revenue³ of

¹ So called because they supported a resolution to receive back those who had lapsed from the Covenant and were repentant.

² *Acts of the Parliaments of Scotland* (1819), vii. 10, Jan. 1661.

³ *Ibid.* vii. 78, March 1661.

£40,000 which the country could not afford to pay, proved the loyalty but not the moderation of Scotland's effusive and sometimes unbalanced statesmen. To make the surrender of the constitution more complete, by an Act Rescissory¹ all the proceedings of the Scottish parliaments since 1640 were cut away as by a pair of shears. The Church was soonest to experience the effect of these changes. In terms of the Act Rescissory, the phrase 'the Church of Scotland as it is settled by law' must mean that Church which Charles I had attempted to impose upon the country, a conclusion made explicit in September 1661 when Glencairn and Rothes brought back to Edinburgh a royal letter signifying the intended restoration of bishops. A few months later James Sharp was nominated archbishop of St. Andrews, Fairfoul archbishop of Glasgow, Leighton bishop of Dumblane, and Hamilton of Galloway.

Robert Leighton (1611-84), afterwards archbishop of Glasgow, was a very favourable representative of those Scottish Presbyterians who had assimilated some of the best elements in French culture; for he had studied at Douai; he was a scholar and linguist; moreover he had close links with the Jansenists. His outlook was therefore free from provincialism, and he accepted the restoration of episcopacy as not inconsistent with the views of the more moderate Presbyterians; unwillingly he accepted also a bishopric. By nature pious and conciliatory, he was one of the few good influences on the Scottish episcopal bench. Very different was the Primate, James Sharp (1613-79), whose education had been of a more restricted character. His quick shrewdness had won for him Cromwell's description, 'Sharp of that ilk'; he was esteemed by Monck, and he had done some propaganda work on behalf of the Restoration; from a politic 'resolutioner' he had become a courtier episcopalian. His selection as Primate was probably intended to lull the suspicions of his co-religionaries; but the choice was unfortunate, because Sharp believed that the views which he himself had adopted from self-interest could be imposed on his fellow countrymen by force. He was not a Scottish Laud, for he was a time-server and a renegade. Soon he was busy with the campaign for the enforcement of episcopacy. In May 1662 it was enacted² that ministers

¹ *Acts of the Parliaments of Scotland*, vii. 86-7.

² *Ibid.* vii. 372.

not presented by their lawful patrons, nor collated by their bishops, should resign their livings; to enforce which Act, the privy council ordered parishioners to refuse payment of stipends to those clergy who had not so qualified themselves. Nearly three hundred ministers left their manse rather than comply, and so about a third part of the Scottish Church was forced into non-conformity. By 1663 the Restoration in Scotland was complete, in the sense that the Stuart king was absolute; he nominated his privy council as he nominated his bishops; parliament was a clique of subservient nobles and burgesses, and an episcopalian church was in progress of imposition on old opponents of prelacy.

A notable incident of the Restoration in Scotland was the execution of one of the greatest nobles, the eighth earl and first marquess of Argyle. Somewhat less than justice has been done to him by either contemporaries or posterity. His stand on behalf of the religion of his countrymen in the First Bishops' War has brought on him the accusation of Presbyterian bigotry; his reputation has suffered also from the fact that his enemy and rival was the knightly Montrose. He placed the crown on Charles's head at Scone, but did not take part in the expedition which ended in defeat at Worcester. He strove to secure joint action between the parliaments of the two countries, but in the contending sects and factions of his day there was no room for a policy of caution; and those of his clan who claimed supernatural vision foresaw the end, revealed to Argyle himself in the *sortes Vergilianae*:¹

Inque humeros cervix collapsa recumbit.

Having presented his court to Charles at the Restoration he was arrested and dispatched to Edinburgh on an indictment of high treason. At the trial, early in 1661, the charge of complicity in the execution of Charles I could not be proved, and an acquittal seemed inevitable, when Monck sent private letters, written to him by Argyle during the Commonwealth, in which were expressions that might be construed to mean approval of the Usurpation. On the strength of these personal confidences he was convicted, meeting his death with fortitude at the Cross of Edinburgh on May 27, 1661. On July 23, 1663, Johnstone of

¹ R. Law, *Memorialls* . . . (ed. C. K. Sharpe, 1818), 116.

Warriston was executed on grounds equally paltry. A noted Remonstrant, he was guilty of having accepted office under Cromwell. He and Argyle had incurred the personal resentment of Charles, and the Scottish courts of justice could be depended upon.

The comparative innocence of Scotland in the events of Charles's execution and the subsequent Usurpation may account for the small number of Scottish judicial victims. In England the number was greater; but there was the same discrimination between those who had been in time to worship the rising sun and those who had not. Proceedings against the regicides and others who had been excepted by the Act of Indemnity commenced on October 6, 1660, at Hick's Hall, when sir Orlando Bridgeman, in his charge to the grand jury, defined treason in terms wide enough to include several of those who sat on the bench with him; for the essence of treason, he maintained, consisted in the 'wicked imagination', even though not followed by 'treason apparent'.¹ The grand jury, having been instructed that levying war against the king's authority is as much treason as levying war against the king's person, had no difficulty in bringing in true bills against the accused persons, and on the following day the trials commenced at the Old Bailey.

Sir Heneage Finch, solicitor-general, conducted the prosecution; counsel was allowed to the accused only on points of law, it being in the discretion of the court to determine what was a point of law. Hugh Peters, though not a regicide, was indicted because he did 'consult about the king's death'. There were two witnesses to prove that he had compared the king with Barabbas;² there was proof that he had taken up arms; that he had called the day of the king's trial a glorious day, resembling it to the judging of the world by the Saints—surely, it was argued, no man could have contrived the king's death more than this wretch had done. Had he not been the principal person to induce the soldiery to cry out 'Justice, Justice'? Hugh Peters was doomed before he was tried. In all, twenty-nine of the accused were sentenced to execution by hanging and quarter-

¹ *The manner of the arraignment of those 28 persons who were appointed to be tried at the Sessions House in the Old Bayly (1660)*, 9-10.

² *Ibid.* 153-4.

ing,¹ of whom ten suffered this sentence, namely, Harrison, Carew, Cook, Peters, Scott, Clements, Jones, Axtell, Hacker, and Scroop. 'A bloody week', noted Pepys on Saturday, October 20, a week in which he had been to see the executions, and had busied himself in arranging his book-shelves.

This did not end the work of revenge. Lambert and Vane were in a special class—they were technically excepted from mercy, but both Houses had petitioned that in the event of their being attainted, their lives should be spared. Charles granted the petition.² The trial of Vane began in the King's Bench on June 2, 1662, when evidence for the prosecution was directed mainly to establishing his activities at meetings of the Council of State. In his defence, Vane asked to have counsel assigned to him on several points of law, such as whether the collective body of parliament could be impeached of high treason, and whether any person acting by authority of parliament could commit treason within the limits of that authority. To this it was replied that privilege of parliament was no shelter for breach of the peace, much less for treason; and that, moreover, the sitting of a few persons within the walls of parliament did not constitute a parliament. The prisoner might well have replied that, if he was guilty, his guilt was shared by many for whom the Restoration had brought not prosecution but advancement; he preferred, however, to base his defence on broad grounds of abstract justice.

When new and unheard-of changes do fall out in the kingdom, it is not likely that the known and written laws of the land should be the exact rule; but the grounds and rules of justice contained and declared in the Law of Nature are and ought to be a sanctuary in such cases. The Law of Nature thus considered is a part of the law of England. . . . There is no precedent that ever both or either House of Parliament did commit treason.

Such was his defence, argued with courage and eloquence; and he properly urged that the case argued against him was of such general importance that it ought to be taken before the High Court of Parliament.³

Vane probably realized that this vindication of parliamentary

¹ The 28 accused persons had been increased to 29 by the addition of William Hewlett, a supposed executioner of Charles I.

² *L.J.* xi. 163.

³ *Trial of sir Henry Vane at the King's Bench* (1662).

sovereignty would cost him his life. Having been found guilty on June 6, he was sentenced to death on the following day. On that day Charles wrote to Clarendon:

The relation that has been made to me of Sir Henry Vane's carriage yesterday is the occasion of this letter, which if I am rightly informed was so insolent as to justify all he had done, acknowledging no power in England but a parliament. If he has given new occasion to be hanged, certainly he is too dangerous to let live, if we can honestly put him out of the way.¹

This was Vane's death-warrant. He was executed a week later on Tower Hill, and men could not but contrast his heroic idealism with Stuart perfidy.

His trial had coincided with that of Lambert, whose submissive behaviour, coupled with his refusal to justify his actions, secured for him a respite from execution. The remainder of his life was spent in moderately indulgent confinement in Guernsey, where he died a prisoner in 1683, having lost his memory some years earlier. To the end, his name remained on the lips of plotters, and the romance which it conjured up was heightened to its last gleams in the cloud of witness raised by Titus Oates.² Of the remaining notables, Ludlow was in exile in Switzerland; Hesilrige died in the Tower; Richard Cromwell survived until 1712, his taste for landscape gratified by his practice of drawing in water-colour. Fleetwood, most fortunate perhaps of all, took a third wife and settled in the seclusion of Stoke Newington, where he was an assiduous attendant on the ministrations of the Rev. Dr. Owen. But Restoration vengeance was not confined to the living. The bodies of four great regicides had already been exhumed and gibbeted; in September 1661 the bones of twenty-one persons were removed from Westminster Abbey and buried in an adjacent pit. Among these were the remains of Pym, Blake, and the mother of Cromwell.³

There remained only Coronation and Marriage to complete the Restoration settlement.

¹ *Lansdowne MS.* (B.M.), 1236, f. 132.

² If the plot had succeeded Lambert was to be Adjutant-General of the Forces (Titus Oates, *A true narrative of the horrid Plot*, 1679).

³ *Clar. MS.* 75, f. 186.

Preparations for the Coronation were conducted on a scale which ensured that nothing should be wanting in its antique splendour. A special commission, presided over by lord chancellor Hyde was appointed to arrange the ceremony, and to decide on the many claims from persons professing the right to perform service thereat. There were two claimants for the office of lord high chamberlain; namely, Aubrey de Vere, earl of Oxford, and Montagu Bertie, earl of Lindsey; judgement was given in favour of the latter. Edward Dymock's right to be champion was uncontested. The dean and chapter of Westminster were to instruct the king and assist the archbishop of Canterbury; but, owing to the great age and infirmity of archbishop Juxon, his part was modified and curtailed. The earls of Pembroke and Northumberland were to bear the spurs; the earl of Shrewsbury the sword; Henry Howard, as seised of the manor of Farnham, was to support the king's right arm; the barons of the Cinque Ports were confirmed in their claim to carry the king's canopy: the mayor and citizens of London had the privilege of serving the king with wine in a golden cup, while the mayor and citizens of Oxford made themselves responsible for the butlering. All the picturesque incidents of the old personal allegiance were thus revived; and though the crown had been placed on an economical, almost penurious allowance, nevertheless it had lost nothing of its old splendour.¹

These preliminary arrangements were accompanied by the conferment of honours. On April 10, 1661, sixty-eight knights of the bath were created; ten days later six earls and six barons were added to the peerage by special creation. Lord chancellor Hyde became earl of Clarendon; Arthur Annesley, earl of Anglesey; sir J. Grenville, earl of Bath. Baronies were conferred on sir Anthony Ashley Cooper (baron Ashley), sir George Booth (lord Delamere), and Denzil Holles (lord Holles). These, with the already ennobled Monck (duke of Albemarle) and Montagu (earl of Sandwich), represented the more notable of Restoration honours. St. George's Day, April 23, 1661, was selected for the supreme event.

On the morning of the 23rd Charles walked on blue cloth

¹ For the details see *Cal. S.P. Dom.*, 1660-1, 584-6; Masson, *Milton*, vi. 152; L. G. W. Legg, *English Coronation Records*, 276-86.

through Palace Yard to the Abbey, where the throne had been erected. There, Gilbert Sheldon, bishop of London, turning to south, west, and north, called on the people to say whether they accepted Charles as their sovereign; the answer was vociferous; in their turn, the nobility gave an answer as emphatic. After the anthem, the king, surrounded by the nobility and bishops, proceeded to the altar, on which were placed the regalia; there the king knelt and a bishop prayed. Then followed a sermon by Morley, bishop of Worcester, on Proverbs xxviii. 2: 'For the transgression of a land many are the princes thereof: but by a man of understanding and knowledge the state thereof shall be prolonged.' Sheldon then tendered the Coronation Oaths, while Warner, bishop of Rochester, requested, in the ancient formula, that the king would preserve the privileges of the Church and the Bishops. These were among the preliminaries to the Anointing, for which solemnity the king removed some of his vestments, while the holy oil was poured from a bottle into a spoon. First the palms of the hands, then the breasts, next the back and shoulders, then the 'bowings of the arms', and finally the head, were anointed by the archbishop, and never did inunction prove more efficacious; for Charles was to effect more cures for the King's Evil than any other sovereign in recorded history. When the king had been girt with the panoply of state, St. Edward's crown was brought from the altar and placed by the archbishop on the royal head; at which, the supreme moment, shouts of 'God save the King' resounded through the Abbey, while salvoes of guns from the Tower signified the completion of the essential part of the ceremony. Through these long and solemn hours Charles bore himself with stateliness and decorum; but his thoughts may well have wandered to that very different ceremony of ten years before in the church at Scone, when he was crowned with the 'tottering crown' of Scotland, and after a sermon¹ which emphasized the need for his personal reformation was sent forth in a hopeless attempt to win his southern kingdom by force of arms.

Charles's marriage must be considered in relation to the place of Restoration England in European diplomacy. With both France and Spain Charles was on not unfriendly terms, and the

¹ *Coronation of Charles I at Scone* [Jan. 1, 1651] in *Bodley, Godw. Pamph.* 1971.

war with the latter was ended by a proclamation¹ of September 10, 1660. With Brandenburg² and Denmark³ relations were regulated by treaties, neither of which was destined to have lasting effect. With Holland the negotiations were more complicated. By the treaty of Westminster (1654) the spice island of Pularoon was to be surrendered by the Dutch; but this was never done, and the various pretexts for refusal served to endanger Anglo-Dutch relations. A royal warrant for taking over the island was issued on December 22, 1660; but as Charles would not recognize a Commonwealth treaty, no mention was made of the treaty of Westminster, and so one more excuse was provided for withholding the island. Ever since the first Anglo-Dutch war there had been accumulating a long list of claims by the English East India Company against the Dutch Company, the English being as determined to trade in the Spice Islands as the Dutch were to exclude them, and soon this bitter rivalry was extended to West Africa. It was in order to adjust these claims that Dutch ambassadors arrived in England in October 1660, and though these efforts at compromise eventually resulted in the treaty of September 4/14, 1662, the claims of the English Company were never satisfactorily settled. Hence from the moment of Charles's restoration, relations with Holland steadily became more strained.⁴

With Portugal, relations were more cordial. Engaged in a struggle against Spain for independence since 1640, Portugal had assumed a position of triangular importance in European diplomacy; for she succeeded in maintaining the old alliance with England during the Interregnum, in spite of the execution of the brother of one of her ambassadors; she was also a unit in

¹ Steele, i. 3254.

² By a treaty of July 20/30, 1661, with the Elector of Brandenburg England undertook to support the Elector's claims to Cleves and Jülich in return for assistance to England in the North Sea and Baltic; there was also to be free commercial intercourse between the two countries. (*Dumont*, vi, pt. ii. 364.) See also C. Brinkmann, *Relations between England and Germany* in *E.H.R.* xxiv.

³ By a treaty of Feb. 13/23, 1661, England and Denmark undertook to assist the enemies of the other, both having common interests on the west coast of Africa. (*Dumont*, vi, pt. ii. 346.) See also H. L. Schoolcraft, *England and Denmark, 1660-7*, in *E.H.R.* xxv.

⁴ See *infra*, cap. vi. For Anglo-Dutch relations generally in this period see N. Japikse, *De Verwikkelingen tusschen de Republiek en Engeland 1660-5*.

the calculations of French diplomacy, in so far as she could be subsidized to maintain her struggle with Spain; thirdly, she had succeeded in preserving the friendship of the exiled Stuarts. Still commercially important because of her overseas possessions, Portugal needed man-power in order to continue the fight for her independence, and seemed able to pay for assistance, whether from her imports, or supposed imports, of bullion, or by transfer of her undeveloped territorial possessions. Abstractly, therefore, there were several good reasons why England should secure a Portuguese alliance; for thereby the old commercial connexion would be strengthened; employment would be found abroad for Englishmen who had survived their usefulness at home; and a share might be acquired in the disintegrating Portuguese empire. The alliance would be favoured by France, because thereby one of her allies would have a stiffening of Anglo-Saxon manhood against Spain. To cement this alliance, there was available a Portuguese princess—Catherine of Braganza. It was a matter of popular supposition that this bride would bring neither good looks nor a child, objections which caused Clarendon to hesitate before recommending the match.¹ Numerous other alliances were warmly recommended to Charles, and the nation would have preferred a Protestant; but financial and diplomatic considerations combined to favour the Portuguese marriage; and, by appearing to dally with rival candidates, the Portuguese terms were forced up. In the state of Charles's finances ready money was a consideration. Batteville, the Spanish ambassador, was profuse in promises, but ill supplied with funds; De Melho, the Portuguese agent, had £10,000 for distribution. This fact was not without influence on the final decision.²

¹ According to *Ormonde*, iv. 108, Clarendon, Southampton, and Ormonde tried to dissuade Charles from this match. Clarendon's own account is that when he first heard of the proposal, he asked the king if he had given over all thoughts of a Protestant wife. When Charles said that he saw no objection to the Portuguese match, Clarendon suggested that the matter be referred to a committee. This committee, which included Clarendon, Ormonde, Southampton, and Nicholas, unanimously agreed that there was no *Catholic* princess whom the king might more advantageously marry than the Infanta of Portugal. (*Clar. Cont.* i. 493-5.)

² Report of Giavarina, July 20/30, 1660, and of Quirini, Venetian agent

The project of a Portuguese marriage had preceded the Restoration and its achievement was partly due to Monck. Acting on the assumption that the cause of his country had been abandoned by Mazarin, the Portuguese ambassador in England, Francesco de Melho, tried to negotiate a treaty with the Council of State;¹ and when Monck became the real executive, De Melho transferred his solicitations to him, telling him that, if Charles should be called back to England, the Spaniards would stop him in Flanders in order to exact security for the restoration of Dunkirk and Jamaica. This is said to have caused Monck to advise Charles to move his headquarters from the Spanish Low Countries. The ambassador then suggested to Monck a marriage of the Infanta with Charles, the dowry to include Tangier, Bombay, and three million cruzados. Tangier, it was urged, would give England control of the Mediterranean, and Bombay would provide a base from which the trade of the Indies might be secured. A treaty was eventually signed (April 18, 1660) whereby Portugal was allowed to enlist English troops for her defence, but this treaty was not ratified. At the time, therefore, when Monck was quietly preparing the way for restoration, his thoughts were also being directed to the highway leading to British supremacy in the Mediterranean and in India.²

These negotiations were conducted mainly through two men, Morrice, afterwards secretary Morrice, and Russell, the English secretary to the Portuguese embassy. The proposed marriage was suggested to Charles shortly after his arrival in England; and meanwhile the whole weight of French diplomacy was directed to the completion of the Anglo-Portuguese alliance, in order that English troops might be used against Louis XIV's enemy, Spain. For this purpose an agent, La Bastide, was sent on a secret mission to England, where he had many conversations with Clarendon, to whom he intimated that his master in Spain, Feb. 20/March 2, 1661, in *Cal. S.P. Ven.*, 1660-1, 177 and 253, respectively.

¹ Proceedings of the Council of State, July 28, 1659, in *Rawl. MSS. A.* 134.

² For this see Southwell's account in *Add. MS.* 20722; also *Ormonde*, iv, 101 sqq.; and *S.P. For. (Portugal)*, the letters of Don Alfonso and De Melho to Charles, Nov. 1660. Modern accounts will be found in E. Prestage, *The diplomatic relations of Portugal with France, England, and Holland*, and Feiling, *British Foreign Policy*, 44 sqq.

Louis had himself thought of marrying the Portuguese princess; but 'for better perfecting the peace with Spain' he had been obliged to marry a Spanish lady and desert Portugal.¹ Louis would provide funds for a vigorous onslaught on his father-in-law Philip IV, but the matter must, of course, be kept absolutely secret. Moreover, according to La Bastide, this secret association would effect another good object—it would keep the Dutch in their place.²

Considerable sums passed in the course of these negotiations. Two hundred thousand crowns³ were handed over at Havre in February 1661, the greater part of which was paid to Carteret for the Navy;⁴ two months later Clarendon suggested a loan of £50,000 from Louis, but was informed that the Portuguese marriage must come first. On May 2, 1661, the chancellor was able to report that the wedding was definitely agreed upon, and eight days later the Council ordered a proclamation to be issued embodying its unanimous consent to His Majesty's marriage with the Infanta. The £50,000 from France being now assured, Louis promised Clarendon that the Franco-Spanish alliance would be publicly honoured, and that he would pretend indifference to the Portuguese match. Thus French influence and money turned the scale in favour of a policy giving England immediate advantages, and helping to bring Charles within the elaborate net-work radiating from Versailles; and it is to Clarendon, more than to Charles, that the initiation of a policy of dependence on France was due.

The marriage treaty,⁵ signed on June 23, 1661, and ratified two months later, engaged Charles to use his power to effect a solid peace between Portugal and the Dutch and, in the event of warfare, to guarantee the defence of the Portuguese East Indies; also to supply 10,000 auxiliaries for the defence of

¹ *Clar. Cont.* i. 517.

² This correspondence will be found in *Clar. MS.* 75, notably ff. 99–103, and f. 393.

³ The French crown or écu was just under 5s. in the English money of the period. The livre was nearly 15. 8d. These are average amounts for the reign of Charles II, deduced from equivalents in the *Calendar of Treasury Books*.

⁴ *Clar. MS.* 76, f. 20.

⁵ For the first drafts of the treaty see *Clar. MS.* 75, ff. 213–17. For the taking over of Bombay see P. B. M. Malabari, *Bombay in the making*, ch. 3.

Portugal against Spain. In return were ceded to him the port and island of Bombay, the port of Tangier, and two million cruzados¹ in sugar, Brazil wood, and money. These were attractive terms for England, and probably no other matrimonial alliance was of such consequence as this; for, while its immediate pretext was diplomatic, its real significance was that England took over some of the remnants of a great colonial enterprise from a power no longer able to fulfil its world-wide commitments. This union was destined to bring to England first sugar and mahogany, followed later by wine; more important, the treaty gave to England an even greater interest in the Mediterranean, and, by opening up the Indian Empire to her commercial enterprise, more definitely turned the directions of English policy to the wider horizons of maritime empire.

The assistance or neutrality of our man-power appeared to be the most obvious of English assets in the later part of the seventeenth century. Portugal was willing to pay for the former; later, France was anxious to purchase the latter. But continental conditions did not at that time elicit the best qualities of Englishmen as auxiliaries; moreover, the men sent to the assistance of our ally were considered a good riddance by those who arranged for their transportation. There soon followed difficulties about food, drink, and pay. While English soldiers were accustomed to twelve months' pay in the year, the Portuguese had only seven or eight, and at a lesser rate; hence it was contended that payment of the English contingent on their standard would cause the French and Portuguese troops to mutiny. This was an inauspicious start. By April 1663 the situation was such that the English troops, so far from being 'profitable' to their employers, were alleged to be 'a considerable damage to the kingdom'.² Their pay was then in arrears, and so the Portuguese government was asked either to pay them or send them back. But already the English alliance was redressing the balance in the peninsula; for, in the spring of 1663, an English squadron secured the safe entry into harbour of the Brazil fleet, and in June of that year the English soldiers, under the leadership of Schomberg,

¹ Two million cruzados amounted to about £330,000—*Cal. Tr. Bks.*, 1660-7, 407. Payment of the money was not completed until 1670, *ibid.*, 1669-72, 373.

² *Clar. MS.* 78, f. 118, and 79, f. 165.

helped to win the battle of Ameixial, and with it Portuguese independence. Soon English diplomacy was to complete what English arms had begun; because solicitude for Portuguese interests influenced the subsequent English negotiations with Spain; and it was partly due to pressure from England and Holland, united in the Triple Alliance of 1668, that Spain was induced to recognize the independence of Portugal.¹ So the advantages of Charles's marriage were not all on one side.

The last act of the Restoration settlement was the wedding of Charles with the Infanta. Under the escort of Sandwich, Catherine and her retinue of ladies and priests reached Portsmouth on May 13, 1662, where they were joined by the bridegroom a week later. There were two ceremonies at Portsmouth on May 21, the one, according to Roman Catholic rites, being performed by the abbé d'Aubigny; the other, in conformity with the English service, by Sheldon. On the morning of his wedding-day Charles wrote thus to Clarendon:²

Her face is not so exact as to be called a beauty, though her eyes are excellent good, and not anything in her face that in the least degree can shoque one . . . and if I have any skill in visiognimy, which I think I have, she must be as good a woman as ever was borne. Her conversation, as much as I can perceave is very good, for she hath wit enough, and a most agreeable voyse. You would wonder to see how well we are acquainted already.

Clarendon certainly needed reassuring on the 'acquaintance' of bride and bridegroom; for he knew that already lady Castlemaine was exercising her spell, and when he protested against the latter's appointment as one of the Queen's waiting-women, he received from Charles a letter³ written in very different vein:

If you will oblige me eternally, make this businesse as easy to me as you can, of what opinion soever you are; for I am resolved to go through with this matter, let what will come of it. . . . And whosoever I find to be My Lady Castlemaine's enemy in this matter, I do promise on my word to be his enemy as long as I live.

Thus early in his reign was Charles, like Solomon, advised by strange women.

¹ See *infra*, 334.

² *Lansdowne MS.* 1236, f. 124.

³ *Ibid.*, f. 128.

V

THE ADMINISTRATION OF CLARENDON

1661-4

IN the years immediately following the Restoration Charles relied on the experience and prestige of Clarendon; and in their range the chancellor's activities extended to every corner that could be reached by an active and solicitous administration, activities radiating from the privy council. Clarendon's theory of government was based on a clear-cut distinction between the spheres of executive and legislative, according to which the former was vested solely in Council, while the latter was committed to king in parliament.¹ Over the king he exercised a tutelage² which became more galling with years, and from which Charles at last emancipated himself with the help of the chancellor's enemies.

When Charles's privy council assembled for the first time in England on May 31, 1660, its composition showed a strange mixture of Royalists, Presbyterians, and old servants of the Commonwealth. In the first class were Clarendon, Southampton, Ormonde, Somerset, Lindsey, and Dorchester; in the second Northumberland, Anglesey, Say and Sele, Holles, and Robartes; in the third class were Albemarle, Sandwich, and Charles Howard, first earl of Carlisle. Its numbers steadily increased from 27 to 40 and even 50, at which point it became unwieldy. It is difficult to describe the extensive scope of the Council's administration. Contemporaries such as Pepys deplored the amount of time spent by the king and the full Board over trivial suits;³ an inspection of the Registers shows that the criticism was not unjustified. At one meeting, the business might be of national importance, as when, in 1669, a letter was drafted to the governors of the plantations requiring them to take the oath enjoined by

¹ For this see E. I. Carlyle, *Clarendon and the Privy Council* in *E.H.R.* xxviii.

² For the communications between Clarendon and Charles at privy council meetings see *Notes which passed at the meetings of the privy council*, ed. W. D. Macray (Roxburghe Club, 1896).

³ *Pepys*, July 3, 1667.

the Navigation Acts,¹ or when, in 1674, Lauderdale was heard in defence of his policy;² sometimes its business was that of a law court, as when it adjudicated in a matter of wardship,³ or decided a disputed assessment,⁴ or heard a complaint by a lady of ill-usage from her husband;⁵ at other times its edicts were little more than police regulations, as when it prohibited public burials during the Plague,⁶ or issued an order for the eviction of malefactors seeking sanctuary in Scotland Yard.⁷ The powers of the Council were so extensive because they were undefined. It was a nebula from which the separate ministerial departments were afterwards evolved, a great clearing-house of government, presided over by a king for whose personality and ability there was still much scope. It was a personal rather than a public institution; its proceedings could not be divulged,⁸ and its decisions might be restricted by the absence of those greater lords to whose opinion the king was known to attach weight; conversely, it was a matter of principle that a mere quorum could not reverse a decision made at a meeting where these lords had been present.⁹ In debate the youngest spoke first.¹⁰

Chairmanship of such an assembly was no formal matter, since the king was sometimes asked to act as arbiter in questions which to-day would be referred to a high-court judge. For example, in June 1681, after counsel had been heard on both sides in a dispute between the East India and the Levant Companies regarding their claims to Mocha, it was agreed to refer the issue to Charles's determination.¹¹ Few kings were so well endowed with the ability to weigh conflicting evidence in a technical suit, or to give a ruling that would satisfy the requirements of equity; and the records of both treasury¹² and privy council in the reign of Charles bear witness to the exercise of an aptitude far more valuable to the state than unintelligent industry.

The privy council gave formal approbation to treaties, and had an indeterminate share in drafting them; but in the last

¹ *P.C. Reg.* 62, Jan. 20, 1669.

² *Ibid.* 64, May 27.

³ *Ibid.* 59, May 16, 1666.

⁴ *Ibid.*

⁵ *Ibid.* 65, Jan. 21, 1676.

⁶ *Ibid.* 59, May 16, 1666.

⁷ *Ibid.* 64, May 15, 1674.

⁸ On one occasion the king complained that information had been revealed in Muddiman's News-letters. *Cal. S.P. Dom.*, 1676-7, 356.

⁹ *Ibid.* 1680-1, Oct. 5, 1681.

¹⁰ *P.C. Reg.* 60, Feb. 12, 1668.

¹¹ *Ibid.* 69, June 30, 1681.

¹² For an instance see *infra*, ii. 425.

resort treaty-making lay with the king, and Charles never sacrificed this element in his prerogative.¹ Nominally also, Bills sent up from parliament were examined in Council, and in the years immediately following the Restoration, considerable time was devoted to their inspection;² but this vigilance did not last long; for Charles's Council became less effective as it grew larger, so that much of its work consisted in the hearing of petitions and their reference to the proper authority. Thus, to the lord chancellor were referred all petitions for reviews of judgements and stoppage of grants: to the treasury, matters concerning Customs, Excise, and pensions: to the solicitor-general everything relating to charters, outlawries, points of law, and Irish legislation. Litigation over revenue, notably Excise, was frequently interfered with, and justices who had given a decision adverse to Excise farmers were constantly summoned to answer before the Council, a practice which the Commons voted a grievance in November 1675.³ There was one other sphere of activity. Proclamations, usually drafted by the attorney-general, were passed under the Great Seal by the advice and consent of the whole Board. Of the proclamations of Charles's reign, the majority enforced existing laws, and so were reminders of those things in the Statute Book which, from time to time, it was deemed specially expedient to enforce.⁴ Lent proclamations continued until 1664; fast-days, sabbath-observance, and prohibitions of the export of wool were old and well-tried favourites; Quakers were sometimes ordered by proclamation to be released, and Jesuits to be expelled the kingdom; and at national crises such as the Popish Plot government was conducted mainly by these instruments. They well illustrate the solicitous paternalism of Stuart government. The monetary value of gold coins;⁵ the manual of political science approved by the government;⁶ the use of gilt by coachmakers;⁷

¹ For the development of the conduct of foreign policy see K. Feiling, *British Foreign Policy*, 19-22; also E. R. Turner, *The Privy Council in the XVIIth and XVIIIth centuries*, ii. 117-19.

² Turner, *op. cit.* ii. 130.

³ Grey, iii. 443.

⁴ For a good general account of the scope of these proclamations see Steele, i, Introduction.

⁵ Steele, i. 3324, Aug. 26, 1661.

⁶ Steele, i. 3371, Dec. 5, 1662. The manual was *God and the King*, originally drawn up by or for James I. It is a very dull book.

⁷ Ibid. i. 3335, Nov. 20, 1661.

the sweeping of streets in Westminster;¹ the spreading of false news, as that the king was about to dissolve parliament²—all these were deliberated by the privy council and each provided matter for a proclamation. There was no special tribunal for the enforcement of these edicts; nor were they questioned, except in so far as they assumed a dispensing power. They serve mainly as an indication of those offences which the subject persisted in committing.

Such were the chief activities of the full council. In practice many duties had to be 'committed' to specified 'committees', some of a very temporary character. In 1668 it was resolved that nothing should be decided in council until it had been considered by a committee; nor was anything to be referred to a committee until it had received preliminary consideration at the Board.³ In the opening years of the reign there were about thirty committees,⁴ of which two—that for naval affairs and that for plantations—were standing committees; but late in 1660, on the advice of Thomas Povey (who had served in the Commonwealth Council for the Colonies), two permanent bodies were established—a Council of Trade and a Council of Foreign Plantations. Both bodies included privy councillors, merchants, traders, representatives of the mercantile companies, and government officials. The Council of Trade, which met at Mercers' Hall, was designed to consider English commerce primarily as affected by our relations with foreign powers;⁵ it heard petitions from traders and companies; expressed its opinion on such abstract questions as the export of bullion, and proposed convoy routes.⁶ The Council of Foreign Plantations was commissioned mainly to investigate conditions in the colonies—their laws, government, and customs; to inquire into the execution of the Navigation Acts, and to deal with all matters concerning emigration and the propagation of the gospel in the colonies.⁷ Both councils obtained their informa-

¹ *Steele*, i. 3366, July 17, 1662.

² *Ibid.* i. 3595, May 2, 1674.

³ *Add. MS.* 38861, f. 18. Order for establishing a future regulation of committees of Council, Feb. 12, 1667/8.

⁴ For a list see *Add. MS.* 37820, f. 65.

⁵ For the minutes of the Council of Trade see *Add. MS.* 25115. The records of this Council and of that for Plantations do not extend beyond 1664-5.

⁶ *Cal. Tr. Bks.*, 1660-7, 245-6.

⁷ For a good account see E. I. Carlyle, *Clarendon and the Privy Council in F H R* xvii.

tion by interview and correspondence; they included experts, such as Povey, who, in 1661, was made receiver-general for the rents and revenues of the American and African plantations; but their powers and duties to some extent overlapped; moreover they soon became too large for efficiency. Their responsibilities were extended by grants of charters to new commercial companies and colonies. As scarcely any two colonies were similar, and as plantations were developed in different latitudes of North America, while dependencies were erected in the Mediterranean and in the East, these committees had to deal with the problems of a rapidly developing empire. In this, they were not greatly assisted by Clarendon, from whom, as the real head of the administration, they might justifiably have expected a lead. The colonies were 'crying aloud for the authority of the crown'; by 1660 their progress had reached a stage when some general principles of colonial administration might have been formulated; but the chancellor, confined to bed by gout during the greater part of each winter, was not interested in colonies, and so no attempt was made to realize a golden opportunity.¹

In 1668, when the committees of Council were reorganized,² plantations were grouped with commerce in a new Committee for Trade. This body, which included Robartes, Buckingham, Arlington, Lauderdale, Ashley, Clifford, and Carteret, met once a week, any three members constituting a quorum. But Arlington and Ashley—both of them more concerned than Clarendon in colonial administration—soon felt the need for a less formal council, and accordingly in October 1670 there was created a new Council for Plantations, the special purpose of which was to consider colonial affairs in relation to English trade.³ This Council, strengthened by the inclusion of several London merchants, undertook a direct investigation of the working of the Navigation Acts. The link between commerce and colonization was again recognized by the erection, in 1672, of the Council for Trade and Plantations, of which Shaftesbury was president, and John Locke one of the clerks.⁴ Commissions

¹ P. L. Kaye, *English colonial administration under Clarendon*, 17.

² *P.C. Reg.* 60, Feb. 12, 1668, and *Add. MS.* 38861, f. 18.

³ Its instructions will be found in *Shaftesbury*, xlix, no. 8.

⁴ *Ibid.*, no. 27.

and instructions for colonial governors were drafted by this council, and a measure of co-operation and efficiency was introduced into the administration of the colonies. Shaftesbury's downfall was fatal to this body, of which he was the guiding spirit, and in March 1675 its duties were merged in the committee of Council for Trade and Plantations, better known as the Lords of Trade. For over twenty years this remained a standing committee for the government of the colonies; it usually acted with knowledge and promptitude, and was responsible for the handling of every colonial question as it emerged.¹

In the rearrangement of February 1668 three other committees were regulated—that for Admiralty, Navy, Military Affairs and Fortifications; that for Complaints and Grievances; and that for Foreign Affairs. Of special importance was the last. Ever since June 1660 foreign affairs had been considered by a committee composed of Albemarle, Clarendon, Southampton, Ormonde, and the two secretaries, a committee formal only in the sense that all its members were privy councillors. In so far as Charles sought guidance in foreign policy, it was to this cabinet or cabal that he referred himself. Its existence was formalized in the rearrangement of 1668 by its inclusion among the four great standing committees, when its members were prince Rupert, Arlington, Ashley, Buckingham, Albemarle, Ormonde, and secretary Morrice. The wide scope of its duties may be inferred from the reference to it of correspondence with justices and local officials regarding the temper of the kingdom, and its tenders of advice on such matters as Charles did not reserve for his personal initiative. Until 1679 this Committee for Foreign Affairs was recognized as a cabinet or *junto*; thereafter it became less a Council committee and more an informal committee of king's friends; some of its more formal duties, such as drafting instructions for ambassadors, or regulating complaints of infraction of treaties, being assigned to a Committee of Intelligence. This latter was one of the formal committees which Charles frequently attended.²

The secretariat of the privy council had acquired increased importance from both Cromwellian experience and French

¹ For this see G. L. Beer, *The Old Colonial System*, i. 249–58.

² Its minutes (1679–82) are in *Add. MS.* 15643.

influence.¹ Unless overshadowed by a great chancellor, such as Clarendon, or a great treasurer, as Danby, secretaries might, as did Arlington and Sunderland, take upon themselves many of the functions now performed by a prime minister. Primarily a household official, the secretary generally had a seat in the Commons where, on the one hand, he would be expected to facilitate the passage of measures approved by the executive; and, on the other, to face his responsibilities as an ordinary member of the House. 'As a privy councillor', said secretary Coventry in 1677, 'I have taken my oath, but as a parliament man I have my opinion.'² It was not always easy to fulfil this dual function; for while, in the earlier years of the reign, the secretary was like a spring, facilitating easy communication between executive and legislature, he later became a buffer, forced to sustain the impact of a body of men increasingly conscious of their strength. Thus in the height of the *Shirley v. Fagg* controversy the two secretaries, Williamson and Coventry, desired the leave of the House to go out, but they were not allowed to do so until after a debate.³ Three years later (Nov. 1678) Williamson, on acknowledging that he had countersigned several commissions for popish recusants, was committed by the infuriated Commons to the Tower, not as a servant of the king, but as a member of the House; he was promptly released by Charles's order, not as a member of the House, but as a servant of the king.⁴ The position was so difficult that the released secretary stayed away from Westminster for several days.

The two principal secretaries of state were almost always members of the committees of Council, and were the only councillors who could never be regarded as merely ornamental; since, in Clarendon's words,⁵ they were 'for service and intelligence'. Moreover, the office had valuable perquisites; it offered vast opportunities for the ambitious man, and was therefore

¹ For an excellent monograph on this see F. M. G. Evans (Mrs. C. S. S. Higham), *The principal secretary of state*.

² *Grey*, iv. 385.

³ *Grey*, iii. 254.

⁴ Before taking this step, Charles consulted the Committee of Intelligence. For what passed there see the separate minute dated Nov. 19, 1678 in *Add. MS.* 15643; also F. M. G. Evans, *op. cit.* 143.

⁵ Quoted by F. M. G. Evans, *op. cit.* 237.

eagerly sought after, its purchase price rising to as much as £8,000. Claiming the powers of a justice of the peace, the secretary examined suspected persons and committed them to custody; he co-operated with Chancery in the exercise of the prerogative of mercy; by the Press Act of 1662 he had authority to license books; he issued passports, corresponded with governors of plantations, and had a large share in the direction of home defence; military commissions and correspondence with senior officers passed through his office. Under his charge was a 'Paper Office' in which he might be required to search for precedents.¹ In foreign affairs there was a geographical division of duties between the two principal officials; for example, in 1662, when sir Henry Bennet (Arlington) succeeded Nicholas as one of the secretaries, France and Portugal were in the southern province, while the Empire and the German states were grouped in the northern province. Throughout Charles's reign, the southern was the more important of the two, and, while responsible for this sphere Arlington was exercising the powers of a modern minister of foreign affairs.² The secretary's activity in military administration was somewhat lessened by the appointment, in 1683, of William Blathwayt as secretary-at-war, by whose energy and ability this was made an office of importance.

Clarendon could not have foreseen that the institution which seemed to him traditional and static was destined to prove both dynamic and progressive. Nowhere else can the steady expansion of English administrative needs be seen so clearly as in the records of the privy council; in no other body could have been found the elasticity and versatility essential for handling the daily-increasing problems of an adolescent kingdom and a juvenile empire. If the principles of constitutional monarchy were not conceded in Charles's reign, at least its framework was being pieced together; and the monarch who appeared to trouble himself least with the details of government presided over a Council which was already utilizing the services of the expert and specialist. With the steady progress of English maritime enterprise, the creation of new institutions, the exigencies of two wars,

¹ *P.C. Reg.* 68, Oct. 10, 1679.

² For a full contemporary account of the geographical division see *H.M.C. Rep.* iv, app. 240. *Coventry Papers*.

and an awakening interest in the public conduct of the nation's affairs it came to be realized that the science of government is both complicated and difficult, dependent not only on the aptitude of its agents, but on the collection and interchange of intelligence. Already under the later Stuarts the foundations of a modern and efficient administration were being laid.

During this part of Charles's reign there was almost complete harmony between executive and legislature. His second parliament, the Pensionary Parliament or Long Parliament of the Restoration, met on May 8, 1661, when a full House of Commons was returned, containing a proportion of members from the Convention and the old Long Parliament.¹ Its complexion may be deduced from the king's greeting: 'I know most of your names and faces and can never hope to find better men in your places.' The chancellor was equally gracious. 'It is the privilege,' he said, 'if you please, the prerogative of the common people of England to be represented by the greatest and learnedest and wealthiest and wisest persons that can be chose out of the nation; and the confounding of the Commons of England, which is a noble representative, with the common people of England was the first ingredient in that accursed dose which intoxicated the brains of men with that imagination of a commonwealth.' On his side, the Speaker (sir Edward Turner) assured His Majesty that he was the greatest monarch in the world, and expressed the wish that this announcement might reach to Spain and the Indies. Seldom have the walls of the Parliament House echoed such a concord of harmony.²

This union was ominous for Dissenters and Republicans. On May 20 the Commons obliged themselves to take the Sacrament according to the rites of the Church of England, and ordered the Solemn League and Covenant to be burned.³ Setting quickly to work, they added a series of measures to the Statute Book of such a character as to create a second Restoration settlement far more uncompromising than the first. The earliest of these was a comprehensive Act for the safety and preservation of His Majesty's

¹ For its composition see *infra*, ii. 472-3.

² *L.J.* xi. 241-4, 246-8.

³ *Parl. Hist.* iv. 209.

person,¹ which imposed the penalties of high treason on the expression by printing, writing, or preaching, of any doctrines subversive of the king's royal estate, or likely to encourage the levying of war on the king. Disqualification from office was the punishment for all who declared the king heretic or papist, or asserted that he was trying to introduce popery; and the penalties of *praemunire* were prescribed for every one who maintained that the parliament begun on November 3, 1640, was not dissolved, or that there was an obligation on any person to endeavour a change of government, or that parliament had a legislative power without the king. An exception was made in favour of privilege of debate in parliament. Then followed an Act² partly repealing that Act of 1640 which had both disabled persons in Holy Orders from exercising temporal jurisdiction and had abolished the Court of High Commission. By this repealing Statute of 1661 the spiritual peers were restored to their places in parliament, and ecclesiastical courts, with the exception of the Elizabethan High Commission, were revived.³

Next, by an Act against tumultuous petitioning,⁴ it was made illegal to obtain more than twenty signatures to a petition, or for more than ten persons to present one to parliament. A Militia Act⁵ declared the supreme control of the Militia and of all military and naval forces to be vested in the crown; this Act, by its recognition of military forces other than the Militia and the Navy, gave some statutory colour to the institution of a standing army. Lastly, an Act for regulating Corporations⁶ authorized commissions to be issued for the better government of all corporate towns, and imposed no less than five obligations on all mayors and officials within these franchises; namely, (1) the oath of allegiance, (2) the oath of supremacy, (3) the taking of the Sacrament according to the practice of the Church of England, (4) a non-resistance oath, and (5) a declaration against the validity of the Solemn League and Covenant. The activities of the commissioners appointed in terms of this Act were not to extend beyond March 25, 1664; but the powers conferred on the

¹ 13 Car. II, stat. i, cap. i. See *infra*, ii. 513-14.

² *Ibid.*, cap. ii.

³ *Ibid.*, cap. xii.

⁴ *Ibid.*, cap. v.

⁵ *Ibid.*, cap. vi. See also *infra*, ii. 470.

⁶ *Ibid.*, stat. ii, cap. i. See also *infra*, ii. 517-19.

crown were to be most fully exercised in the great drive against the charters that began in 1681. These Acts are evidence of the passionate outburst of loyalty on the part of a youthful and inexperienced House of Commons.

There was one problem yet to be settled—the fulfilment of the promise of toleration held out in the Declaration of Breda. The Convention Parliament had evaded this question; but Charles's Declaration¹ of October 25, 1660, had promised a national synod for the determination of differences, and on April 5, 1661, this synod met at the Savoy, under the presidency of Sanderson, bishop of Lincoln. Failure was inevitable from the start, because the bishops were once again in the Lords, immeasurably strengthened by their cult of the martyred king; and now that the Restoration was safely achieved, they felt that there was no need to make concessions to those who had helped to bring it about. To make matters worse, Baxter and Calamy, who led for the Dissenters, helped to obscure the real issues under non-essentials, such as the use of 'Lord's Day' for 'Sunday', 'Minister' for 'Priest', and the retention of obsolete words in the Psalter. Kneeling at communion and the gift of prayer by laymen added fuel to the theological fire. More important was the Puritan demand that in the Liturgy there should be used no phrases implying that the congregation was in a state of grace. Here was something more vital than vestments or kneeling. To the Puritan, religion was a personal relationship between God and Man; and Man, overweighted by original sin, was certain to be doomed unless saved by grace; to the Anglican and the Catholic, on the other hand, baptism did regenerate, and the Church with its sacraments fulfilled an essential part in the process of salvation. The Presbyterian-Puritan would confine salvation only to those elected thereto by divine decree; his opponent, less concerned with the solution of celestial probabilities, was as deeply concerned with the spiritual side of existence, but aimed at securing, by the well-ordered ritual of the parish church, a reiterated acquiescence in the established order of things. Both Baxter and Calamy were grievously out of date in thinking that Elizabethan Calvinism was still an essential element in Anglicanism; indeed the Savoy Conference was an

¹ See *supra*, 165-6.

anachronism, reminiscent of 1643 rather than of 1661; for while it was sitting Convocation began its sessions, and its pronouncements were indirectly the reply to the Puritan demands.¹

The Savoy Conference ended on July 23, 1661; in November a committee of the two houses of Convocation proceeded to the revision of the Prayer Book of 1559. A last appeal for compromise was made in the Lords by the earl of Northumberland, who pleaded that this Book might be confirmed without alteration; but he was answered that it was too late, for letters-patent ordering revision had already been issued.² As a result of the committee's labours, about six hundred changes were effected, and several new prayers were added, including that for all sorts and conditions of men (drawn up by Gunning, bishop of Ely). The changes, based mainly on the preliminary work of Gunning and Cosin (bishop of Durham), emphasized the priestly character of the ministry, the regenerative effects of baptism, and the commemorative functions of the Lord's Supper. The Thirty-nine Articles, with their affirmation of the doctrine of Predestination, remained unaltered; otherwise the revised formulary succeeded in rejecting everything considered distinctively Puritan or Papist, and theological difficulties were safely navigated by steering between them. 'It hath been the wisdom of the Church of England', declared the preface, 'to keep the mean between the two extremes of too much stiffness in refusing and of too much easiness in admitting any variation from it.' The revised book was accepted by Convocation on December 20, 1661, and by both Houses of Parliament in April 1662. So far as it is permissible for the inexpert layman to have an opinion on these matters, it may be said that the revision emphasized the native catholicism of the Church of England, and stereotyped a liturgy remarkable for both purity of diction and the absence of the dogmatic or provocative.³

Now that the liturgy of the Church of England was amended and restored, it remained only to establish the monopoly of a state

¹ An account of the deliberations at this conference will be found in *Documents illustrating the Act of Uniformity* (1862).

² *Clar. Cont.* ii. 129.

³ For this subject see E. Cardwell, *A history of conferences and other proceedings connected with the revision of the Book of Common Prayer* (1840); F. Proctor and W. H. Frere, *A new history of the Book of Common Prayer*.

church on the basis of penal legislation. The Act of Uniformity,¹ which received the royal assent on May 19, 1662, imposed the revised Prayer Book, and ordered all deans, lecturers, pastors, and schoolmasters to sign a declaration in which were embodied three things: a repudiation of the Solemn League and Covenant, a denial of the right to take up arms against the king, whether on his (pretended) authority or not, and an undertaking to adopt the liturgy of the Church of England as now established by law. The statute further enacted that, after St. Bartholomew's Day (Sunday, Aug. 24) 1662, every one then in possession of a benefice and not already in holy orders by episcopal ordination should (unless meanwhile he submitted to such ordination) be disabled and deprived. There is some contemporary evidence that, in the Lords, Clarendon opposed the harsher measures embodied in the Bill;² by his own later account, however, he thought that once the measure was passed it should be enforced, and he discouraged the king from seeking expedients whereby its penalties might be mitigated.³ In the Council, some urged that the Presbyterian ministers should be continued in their livings, as the Declaration of Breda had appeared to promise them; but Sheldon, on behalf of his colleagues, made it known that he would comply with no resolution inconsistent with the Act of Uniformity, and that therefore the Presbyterian incumbents must go.⁴ So the bishops had their pound of flesh.

By the Act of Uniformity the ministry of the Church of England was confined to persons having fulfilled three conditions: (1) ordination at the hands of a bishop, (2) unfeigned assent to everything in the new Prayer Book, and (3) subscription to a doctrine of non-resistance, together with a repudiation of the view that the Solemn League and Covenant had binding force on any one, including those who had sworn to observe it. Much was therefore asked of candidates for Anglican Orders, and much was undertaken by aspirants thereto. But the Act had certain more immediate and more easily-assessed consequences; for by its

¹ 14 Car. II, cap. iv.

² *Rawdon Papers*, 137; also Feiling, *History of the Tory Party*, 105, n. 1.

³ *Clar. Cont.* ii. 142-9.

⁴ *Carte MS.* 32, f. 3. Letter to Ormonde regarding the debates in Council (received Sept. 3, 1662).

terms a large number of beneficed clergy were automatically dispossessed if they failed to conform by St. Bartholomew's Day. There are conflicting estimates of the number so affected. A reliable estimate¹ is that about 2,000 men, or about a fifth part of all the beneficed clergy, were deprived during the weeks immediately following the 24th of August 1662. While it is true that a small proportion conformed in order to avoid expulsion, it is certain that the Church lost heavily by this unnecessary sacrifice of many of its best clergy, who were thereby forced into penury and embittered dissent, some of them taking to the plough or to menial occupations, others maintaining a precarious livelihood on little more than bread and water. Most of them helped to strengthen the cause of nonconformity by personal influence and example. Equally serious was the loss of conscientious laymen who followed their dispossessed pastors. By making the Church of England more Erastian and less Protestant, the Act of Uniformity attempted to render the faith immune from the liberal tendencies already manifest in contemporary thought; and so the decline of the Anglican Church, not stemmed until the nineteenth century, may be dated from the moment when this Statute welded into one common ostracism all the different shades and degrees of dissent.

But at the moment when the Cavalier Parliament appeared to have secured the Restoration settlement on the basis then regarded as the soundest, namely religious uniformity, there were becoming evident in king and Court certain indications of leaning to Rome. Charles appears for a time to have toyed with Roman Catholicism and with the project of its partial recognition in England. It is not known what negotiations² took place, but,

¹ There is a list of dispossessed persons by E. Calamy (in *Bodley, Tanner*, 780). Cf. A. S. Matthews, *Calamy Revised* (1934).

² Ranke, *History of England*, iii. 396-8. The document to which Ranke refers is in *Aff. Étr. (Angleterre)*, 81, f. 29, and is dated Feb. 1663. It is entitled: 'Oblatio ex parte Caroli Secundi pro optatissima trium suorum regnorum Angliae, Scotiae et Hiberniae cum Sede Apostolica reunione.' In this document Pius II's Confession of Faith is accepted, with the decisions of the Council of Trent and other Councils; also the decisions of the last two Popes on the Jansenist controversy, but reserving the *stabilita jura et consuetudines* of the English Church. The regimen of the English Church is to remain in archbishops and bishops; married bishops are to retain their wives, but to

whatever they were, nothing came of them. On this very slender evidence a mass of legend has been constructed; and if Charles had had the opportunity of reading what was afterwards to be written on this subject, it is doubtful by which he would have been the more amazed—by the religious enthusiasm attributed to him, or by the Jekyll-and-Hyde career of his reputedly eldest son, James de Cloche.¹ Such authentic correspondence between the Court and Rome as has survived relates mainly to an application for a cardinal's hat on behalf of a relative, the sieur d'Aubigny, uncle of the sixth duke of Lennox, a man summarily described by Burnet as 'a very vicious man, though maintaining an outward decency'.² Charles's mother took part in the correspondence, and assured the Pope that, as both the king and a number of his ministers were favourable to the Roman Catholics, an attempt would be made in parliament to obtain some relief for them.³

Among the ministers to whom the Queen Mother was referring, it is possible that even Clarendon was included; for he was still leaning, on the one side, to a suspension of the Act of Uniformity in favour of Presbyterians, while, on the other, he had relations with the Catholics through his secretary Bellings;⁴ and so, in spite of the categorical statements in his *Autobiography*, it may be inferred that in 1662 the chancellor had no religious policy at all. Events may have forced him to make up his mind. On December 26, 1662, Charles boldly issued a Declaration in which, having alluded to his promises from Breda and the settlement of the Church by the Act of Uniformity, he announced that he would try to induce parliament to concur in securing legislative sanction for the exercise of that dispensing power which he conceived to be inherent in himself.⁵ To this proposal the Speaker of the

be succeeded by celibates. Belief in Purgatory is accepted. There is no evidence to connect Charles II with this document.

¹ For some forged letters to and from Rome on this subject see Boero, *Istoria della conversione alla Chiesa Catholica di Carlo II*. See also Andrew Lang, *The Valet's Tragedy*. This mysterious son of Charles was entered in the baptismal registry of Jersey not as James de la Cloche, but as James de Cloche du Bourg de Jersey.

² Burnet, i. 243.

³ P.R.O. Rome Transcripts, 99, f. 41.

⁴ K. Feiling, *Clarendon and the Act of Uniformity in E.H.R.* xliv.

⁵ *Parl. Hist.* iv. 257.

Commons replied¹ in no uncertain terms (Feb. 27, 1663): 'We have considered the nature of Your Majesty's Declaration from Breda and are humbly of opinion that Your Majesty ought not to be pressed with it any further, because it is not a promise in itself, but only a gracious declaration of Your Majesty's intentions to do what in you lay, and what a parliament should advise you to do.' This step having failed, the king's friends now introduced into the Lords a Bill enabling the king by letters patent or otherwise to dispense with the Act of Uniformity. This Bill, the drafting of which was due mainly to the Presbyterian Robartes, was attacked by Clarendon² and was lost in committee; rightly or wrongly to Clarendon was attributed this failure to embody in law the royal preference for toleration.

Clarendon's opinions may have been influenced by the fact that the Declaration of 1662 was penned by one whom he regarded with intense dislike—sir Henry Bennet, afterwards lord Arlington. From the moment when, in October 1662, Bennet succeeded Nicholas as one of the secretaries of state, the authority of Clarendon began to be undermined; for even thus early, Charles was turning to younger men, and was seeking ministers more accommodating in disposition than the chancellor. It might therefore be possible at this point to distinguish two parties in embryo: the one, youthful and enthusiastic, convinced that the king was now so firmly settled in the saddle as to justify a canter in the direction of Rome, or to whatever quarter the rider's fancy took him; the other, older and more experienced, afraid that the steed bestriden by Charles was waiting the first opportunity to throw him, and must therefore be held firmly in check. Clarendon, of necessity, came to be more closely associated with leadership of the latter party, and his caution was soon discredited by what seemed to many contemporaries a mercenary surrender. This was the sale of Dunkirk. In August 1661 the question of its transfer to France had first been mooted, when Clarendon³ informed D'Estrades that its garrison and maintenance had cost the king, since his return, about £400,000. Of those who advised the sale, the foremost was Sandwich, who

¹ *Parl. Hist.* iv. 261.

² *Lister*, ii. 211-12 and iii. 243, Clarendon to Ormonde, March 1663; and *Clar. Cont.* ii. 347.

³ *Clar. S.P.* iii, supplement, xxi-xxv.

considered that the harbour was exposed to storms and liable to be silted up; it was argued also that the fortress was weak on the land side; that the cost of its upkeep (£120,000 per annum) was disproportionate to its value; and also that its retention might involve England in continental war. Some thought that the acquisition of Tangier made Dunkirk unnecessary as a naval base, and that the finances did not permit the upkeep of both places. At the Council Board only the earl of St. Albans opposed the proposed sale;¹ its possible value for the herring fishing does not appear to have been considered.² After much bargaining, conducted mainly by Clarendon and D'Estrades, a sum of five million livres was agreed upon, and the transfer was effected late in October 1662.³ Part of the purchase price was to be used by Charles for the active support of Portugal, the French ambassador being instructed to see that this condition was fulfilled.⁴ This speedy sacrifice of one of Cromwell's most valued acquisitions could not but have had its influence on public opinion; and, quite unjustly, to Clarendon was imputed not only the initiative in this transaction, but a share in the purchase price. His house, in course of erection in Piccadilly, was nicknamed Dunkirk House.

Clarendon's decline may be dated from the summer of 1661, when the implications of the Restoration Settlement had become revealed; for by Catholic and Nonconformist alike he was held responsible for the denial of toleration; by the Courtiers, he was thought to be the agent whereby parliament had made insufficient financial provision for the crown; by the Cavaliers, he was blamed for the land settlement, and for the insufficient reward to loyalists.⁵ By 1663 he might well have been removed from the royal favour had it not been for the rashness of one of the Catholic hot-heads—the earl of Bristol, who took upon himself the leader-

¹ *Clar. Cont.* ii. 248. Clarendon thought that by opposition St. Albans designed to bring the negotiation into his own hands.

² Cf. the memorial on this point in *Sloane MS.* 2444.

³ *Lister*, ii. 173.

⁴ *Instructions Donneés (Angleterre)*, i. 318. For the disposal of the Dunkirk money see *Cal. Tr. Bks.*, 1660-7, 459 and 493. £70,000 was paid to the Navy; £30,000 to the Guards; £36,000 to the Household; £14,000 to Tangier.

⁵ For the cabals against Clarendon in August 1661 see D'Estrades's report in *Baschet*, 100, Aug. 10/20. For May 1662 see *Rawdon Papers*, 164-5.

ship of the chancellor's enemies. Bristol, knowing Charles's secret inclinations, appears to have utilized this knowledge in a manner suggestive of blackmail.¹ Having assured Charles that he had sufficient influence in the Commons to raise there a party which would be more solicitous of his revenues, he then attacked Clarendon from his seat in the Lords; and on July 10, 1663, brought forward articles of impeachment. Seldom has a more ridiculous venture been made in parliament. The accusations, wherever they were not matters of hearsay or gossip, were easily refutable untruths; and when the Lords referred the articles to the Judges, the latter reported that, even if the charges were substantiated, there was no treason in them; nor might a charge of high treason be originally introduced into the Lords by one peer against another. So ignominious was the collapse of the prosecution that Bristol absconded, and Clarendon's influence was, for the time, restored; but with this difference, that while hitherto he had relied mainly on his personal influence with Charles, he must henceforth depend on his churchmanship, and on his alliance with the bishops and the intolerant element in the House of Commons.

The result was seen in the measures which followed the Act of Uniformity, a series of statutes to which the name Clarendon Code has been given—an attribution justified only in the sense that, after 1663, Clarendon was the most notable exponent of the view that sedition and dissent were inseparable. He was not the author of the legislation which passes under his name, yet he was one of the most influential of those who professed belief in its necessity, and his complete acquiescence in it was the price he paid for retaining power. It is certain at least that the Clarendon of 1663 was not the free agent who in 1660 had helped to draw up the Declaration of Breda; for he was now dependent on the Anglican Commons against the king, and on national intolerance against his crypto-Catholic enemies. From this point, therefore, the flood of legislative revenge had free course. The Conventicle Act (1664)² made illegal all assemblies of five or more persons over 16 years of age under colour of religion; for the first offence, a fine of £5 was imposed, and, after a third conviction, the penalty was transportation to a plantation other than Virginia or New

¹ *Clar. Cont.* ii. 258-62, and *Lister*, ii. 222 sqq.

² 16 Car. II, cap. iv.

England. The Act for restraining nonconformists from inhabiting corporations,¹ commonly called the Five Mile Act (1665), reaffirmed the obligation of all in holy orders to take the prescribed oaths, and forbade all preachers and teachers refusing the oaths to come within five miles of a corporate town, or of the parish where they had taught or preached. All such persons, as well as those who failed to attend the parish church, were forbidden, under a penalty of £40, to teach, whether as schoolmasters or private tutors; and thus the legislature did its best to deprive the educated dissenter or ejected minister of one of his most natural means of livelihood. By a later Act (1670)² persons permitting conventicles to be held in their houses were to be fined £20, and constables were authorized to break into enclosed premises in search of conventicles. This Act was followed (May 1670–April 1671) by an intensive campaign³ against the sects, when the Militia was called upon to disperse conventicles, and offenders were dealt with summarily at Quarter Sessions. In the course of this campaign, informing became a lucrative profession. Relief eventually came, not from the adoption of enlightened views such as Ashley was maintaining, but from a change in the international situation whereby the flood of vindictiveness was diverted from the Dissenters to Papists.

Such was the legislation—most of it imposed on Charles as the price of supply. It is difficult to determine how far it was enforced, for much depended on the temperament of the justices; moreover England was still a country of segregated provincialism, and just as equity was as long as the chancellor's foot, so mercy was as warm as the justice's heart. In towns where there existed large communities of Dissenters, as Bristol, Gloucester, Taunton, Canterbury, Norwich, Dover, and Yarmouth, offences against the Code were frequently winked at, and in these places the grand juries sometimes refused to indict Quakers or Dissenters. In Lewes, conventicles were reported to be as frequent as in Oliver's time;⁴ Bath was famous for these gatherings, and Charles may himself have seen them when he went there with his consort in the summer of 1663. At Hereford, Roman

¹ 17 Car. II, cap. ii.

² 22 Car. II, cap. i.

³ F. Bate, *Declaration of Indulgence*, 68.

⁴ *Cal. S.P. Dom.*, 1663–4, 293.

Catholics were more frequently indicted than Nonconformists.¹ Moreover, the royal clemency was sometimes exercised, as when in January 1663 a warrant was issued ordering the release of all conventiclers in Newgate, provided they were not seditious.² But sometimes the law was enforced to the ruin of its victims. Bunyan suffered twelve years close confinement, and throughout the State Papers of the reign will be found many instances where the law was rigorously applied.

In a sense, the so-called Clarendon Code was really panic legislation, due not so much to zeal on behalf of Anglican doctrine or discipline, as to a form of national hysteria which did not find its full expression until the Popish Plot. These Acts were passed when the air was heavy with rumours of rebellions and insurrections; it needed only a few authentic plots to justify such fears in the minds of the legislature. One of the earliest was in December 1660, when an old Cromwellian soldier was arrested and, on being questioned by the king, confessed that there was a design to murder Monck and march on Whitehall. Sixty suspects were captured as a result of his disclosures, including colonel Overton.³ Hence the fear entertained by the government that the disbanded troops were planning an insurrection, and hence also the numerous proclamations⁴ ordering their departure from London. In January 1661 a fanatic cooper named Venner, accompanied by fifty men, proceeded to set up in the streets of London the Fifth Monarchy or reign of Jesus Christ on earth. This was instantly suppressed; Venner and others were hanged, but, unfortunately, from the truth that the Fifth Monarchy men were extremists was deduced the unwarrantable opinion that all Dissenters were politically dangerous. In September of the same year another rising was thought to be imminent from headquarters at Wrexham, 'the most factious town in England', the leaders of which were said to be in communication with the exiled Ludlow;⁵ and September 3, the

¹ *Cal. S.P. Dom.*, 1663-4, 293.

² Register of Royal Warrants, 1661-5, *Add. MS.* 35117, f. 74.

³ Report of Bartet in *Baschet*, 108, Dec. 17/27, 1660.

⁴ e.g. the proclamations of Dec. 1660; April 1661; Nov. 1661; March 1664; Nov. 1664 (in *Steele*, i. 3270, 3296, 3339, 3397, and 3404).

⁵ *Cal. S.P. Dom.*, 1661-2, 80.

anniversary of the battles of Dunbar and Worcester and of Cromwell's death, was regarded as the most likely date of the rising.

The instructions issued at frequent intervals to the lords lieutenant show that the Privy Council attached great weight to these rumours. At such moments of panic the measures taken for increased security consisted in calling out the Militia, occupying places of strength, imprisoning scare-mongers, and enforcing more strictly the laws against rogues and vagabonds.¹ On at least one occasion these rumours proved to have some foundation. In October 1663 so insistent was the talk of a rising in Yorkshire that the leading Dissenters were put under restraint; musketeers were placed in populous boroughs, and the Militia was concentrated at Ferrybridge.² The talk was not without foundation. A plot of northern Presbyterians and Anabaptists was foiled through information having been intercepted (notably by bishop Cosin),³ and so the government was able to arrest many of the ringleaders before the day planned for the rising. Ludlow was to have held Wales with 10,000 men; Fairfax also was named as a possible leader, and there was a design of inducing the troops returning from Portuguese service to serve as auxiliaries. Of this plot, sometimes called the Derwentdale Plot, the objects were said to be (1) capture of Whitehall, and the seizure of Clarendon, with the dukes of York and Albemarle, in order to oblige the king to implement his promises given at Breda, (2) abolition of Excise and Hearth Money, and (3) restoration of a gospel ministry. Fairfax and Manchester disowned the use made by the plotters of their names. The seriousness of this project, together with the large proportion of the population supposed to be in sympathy with its objects, may have served in some measure to justify the extreme measures taken by the legislature to bridle dissent.

That the surviving regicides on the Continent were awaiting an opportunity of returning to England in order to overthrow the monarchy was the conviction of every one in touch with the intelligence department organized by the secretaries of state.

¹ An example of these instructions will be found in *P.C. Reg.* 56, July 6, 1662.

² *Cal. S.P. Dom.*, 1663-4, 298-380.

³ Rev. H. Gee, *The Derwentdale Plot in Trans. R. H. Soc.*, series iii, xi.

Special vigilance had therefore to be exercised—in the north, and at all the ports; also among the soldiers and sailors who had served the Commonwealth. There was constant interception of mails from abroad, particularly Holland; the exiles Sidney and Ludlow, the 'old Army' in Ireland, and even persons 'strongly neuter' were alike the objects of inquiry and supervision. As late as 1671, Richard Cromwell, the most innocuous personality of his age, was considered so dangerous that orders were given to search houses in London where he was thought to be concealed. There was no limit to the extent of these fears; indeed, even such a national affair as the Second Dutch War was considered by some to have originated as a 'court diversion', intended to provide an enterprise for keeping the people occupied and quiet.¹ In consequence, Charles's government regarded all concourses of men as dangerous—whether they were conventiclers worshipping in cellar or on the hill-side; or London apprentices 'rambling' on an afternoon holiday; or talkative gatherings in coffee-houses; or dinners of city companies, where men might become heated by injudicious toasts. The fact that Charles died peaceably in his royal bed has led posterity to under-estimate the clement of precipitancy and anxiety from which no statesman of his reign could altogether escape.

While its monopoly was being assured, the work of reconstruction proceeded steadily in the Church of England in the years immediately after the Restoration.² Churches and episcopal palaces were restored, mainly by the munificence of great ecclesiastics such as Cosin, Morley, and Sheldon; the old territorial possessions were regained, and the activities of archidiaconal and consistorial courts were renewed. The High Commission with its *ex officio* oath was gone; but on the other hand the church courts were busier than ever with defaulting laymen.³ In these years of consolidation the Anglican theologians were also busy, and in their writings can be detected the drift from the grim

¹ *Memoir on the origin of the war between English and Dutch*, in *Aff. Étr. (Angleterre)*, 82, printed in Japikse, *De verwickelingen tusschen de Republiek en Engeland*, bijlage xv.

² For this see J. Stoughton, *The Church of the Restoration*, ii. 198 sqq. For a more distinctively Anglican interpretation of the subject see W. H. Hutton, *The English Church from the accession of Charles I to the death of Queen Anne*.

³ For this see *infra*, ii. 495-9.

dogmatism of sixteenth-century formularies to more liberal and eclectic doctrines. Examples are Herbert Thorndyke (1598–1672), Peter Heylyn (1600–62), George Bull (1634–1710), and Jeremy Taylor¹ (1613–67). Thorndyke, a fellow of Trinity College, Cambridge, succeeded in evolving doctrines so oecumenic in character as to receive the commendation of cardinal Newman. He definitely rejected the Calvinism which had been given a temporary lodging in the necessitous Elizabethan Church, and proclaimed that a man's will is determined by his own acts. Heylyn, as parson of Alresford, had vindicated the principles of his church even during the Usurpation; later, though debarred from promotion by ill health, he perpetuated in his books a scholarly but somewhat querulous Laudianism, particularly acceptable to churchmen who held Calvinist theology in abhorrence. George Bull, bishop of St. Davids, wrote with such enlightenment on the necessity for good works that his countrymen thought him a Socinian, and Bossuet thought him a Papist, a misconception which was cleared up by Bull himself in his *Corruptions of the Church of Rome*, by far the most popular of his works. Most memorable of these writers was Jeremy Taylor, who, in his devotional writings, explored the vast resources of the English language in sonorous periods that have survived the controversies which first inspired them. His *Holy Living* and *Holy Dying*, while never profound nor even incisive, have always held the attention of readers by their convincing exposition of the duties of a Christian, and to his sermons, his books, and his personal example the devotional element in Anglicanism owes much.

On the fringes of the Church of England stood the pioneers of a liberal and mystical Protestantism, men collectively known as the Cambridge Platonists.² Composed mainly of scholars and college tutors, this school had some personal affinities with the Puritan Emmanuel College, but in temper it was more Anglican than Nonconformist. They were the true continuators of Hooker, Falkland, and Chillingworth. Among the more notable of them

¹ There is a good account of these theologians in Stoughton, op. cit. ii. 268 sqq.; see also W. H. Hutton, *A history of the English Church, 1625–1714*.

² For this subject see J. Tulloch, *Rational Theology and Christian Philosophy in England in the seventeenth century* (1872).

were Benjamin Whichcote and Henry More. Whichcote strove for the reinstatement of reason in theology: 'Man', he wrote,¹ 'has as much right to use his own understanding in judging of truth, as he has the right to use his own eyes'; also, 'those who differ upon reason, may come together by reason'. These were remarkable views in an age slowly emancipating itself from the opinion that religion, like knowledge, is finite, and already fully revealed. Henry More tried to reinterpret for his contemporaries the lessons he had derived from a study of Plato, Ficino, and Descartes, lessons in which philosophic doubt was harmonized with lofty idealism and mysticism. Though educated a Calvinist, he liked the Church of England for 'its decent grandeur and splendour';² and he revered the pristine Anglicanism of Hooker. No one explored more deeply than did he the inner workings of fancy and enthusiasm in the life of the spirit. 'Walking abroad after his studies,' wrote his biographer, 'his sallies towards Nature would be often inexpressibly enravishing and beyond what he could convey to others.'³ To these 'notional apprehensions' of high matters he joined a probity of life and demeanour well according with them, and he has enriched our literature with apocalyptic treatises wherein he very nearly succeeded in explaining his semi-spiritualist beliefs. By his life and teaching he helped to restore the soul to religion, and he is one of the few theological writers of his age who can still be read.

If our common necessities and duties are the same [wrote Stillington];⁴ if we have the same blessings to pray and to thank God for in our solemn devotions; why should we think it unlawful or unfitting to use the same expressions? Is God pleased with the change of our words and phrases? Can we imagine the Holy Spirit is given to dictate new expressions in prayers?

In their moderation and reasonableness these words are characteristic of the appeal made by the more educated exponents of the later Caroline Church. That Church could at least expect the allegiance of by far the greater part of the nation; for, in a population estimated at nearly five millions, there were probably not more than 150,000 Dissenters, and only 15,000 to 20,000

¹ Tulloch, *op. cit.* ii. 100.

² *Ibid.* ii. 338.

³ R. Ward, *Life of Henry More* (1710), 54.

⁴ Stillington, *Ecclesiastical Cases* (1608), 41.

Roman Catholics.¹ Articles of inquiry presented by bishops and archdeacons testify to the minute control exercised by the Church over the daily lives and opinions of the flock; and by investigation and punishment, these custodians strove to expel blasphemy, atheism, and immorality. So too they insisted on belief in the Scriptures, as containing everything necessary for salvation; in the Church of England, as a true and apostolic church, a true member of the Catholic Church; in the ritual of that Church, as neither popish nor idolatrous; in the baptism of infants, as lawful and necessary, and in the doctrine that the king has the same authority in causes ecclesiastical 'as hath been given always to all godly princes by God himself'.²

Such were the more formal ministrations. At the universities, where some speculation was permissible, learned men debated whether original sin was transferred from Adam; whether the 'pseudo-Roman Catholic Church' was idolatrous; whether Christ would reign one thousand years on earth before the Day of Judgment; whether faith should be kept with heretics; were all the Apostles equal? are good works necessary to salvation? is marriage forbidden to bishops, priests, and deacons *jure divino*?³ Less disturbing were the printed directions provided for the guidance of laymen; such as *Catechetical Questions*,⁴ where problems were reduced to question and answer; or *Directions about preparing for Death*,⁵ a book of eminently practicable morality, containing a suitable list of passages from scripture; or *The Communicant Instructed*,⁶ consisting of eleven chapters of exacting questions for the ordeal of self-examination. The number and tone of these books suggest that the older, dogmatic theology was slowly

¹ For estimates see Stoughton, *op. cit.* ii. 207-8. In the spring of 1676 Danby, with the help of the Church, attempted a census of religions in England. For the province of Canterbury the number of adult Roman Catholics was estimated at 12,000, and of adult Nonconformists, 93,000. The province of York was assumed to contain a sixth of these totals. (A. Browning, *Life and Letters of sir T. Osborne, earl of Danby*, i, ch. x.)

² Articles of visitation and inquiry in the diocese of Ely, in the second episcopal visitation of Peter [Gunning], 1679.

³ These were the theological *Quaestiones* debated at Oxford in the Act of 1661. *Bodley Fol.* Θ 659.

⁴ By S. Lowth, 1673.

⁵ By T. B., 1660.

⁶ Anon., 1668.

being replaced by a faith emphasizing the duties of the Christian as churchman and subject.

There was also much spiritual activity outside the bounds of the Church. Of that more moderate English Presbyterianism which was forced by legislation into the camp of active dissent Richard Baxter may be taken as an example. In boyhood he 'searched the Scriptures' and conducted his own education, a process in which he became earnest but uncompromising. He thought that kneeling might be lawful, but he had doubts regarding the surplice and the use of the cross in baptism. He composed long, sad books, all in a minor key; and his ministry in Kidderminster coincided with a period of spiritual regeneration in a town then considered of dubious reputation. At the Savoy Conference he had led his cause with courage and ability, but that cause might have been better served by one more diplomatic and less conscientious. Like Calamy, he had declined a bishopric at the Restoration; and whatever name may be applied to his principles, it is clear that they were in no way subversive of the state; for his followers were not Quakers, nor Anabaptists, nor Fifth Monarchy Men, all of whom incurred the suspicion generally aroused in that age by the novel or the original; on the contrary, Baxter and Calamy taught a Protestantism which claimed to be as old and as authoritative as that professed by the Church of England. Their moderate Presbyterianism might well have joined forces with moderate Anglicanism, and so Nonconformity would have been narrowed down to the Sects, which ultimately would have been discredited by their own excesses.

The disciples of Baxter, often spoken of as Presbyterian, were latitudinarian and evangelical rather than Calvinist, representative not so much of definite dogmas as of those vaguer spiritual questionings in which English dissent had found its beginnings. One reason why the more formal Presbyterianism failed to make much headway in England was the difficulty of finding a competent body of men to act as ruling elders. Pride's Purge and the abolition of the House of Lords had destroyed the strength of the party in parliament, and prevented it from obtaining any footing during the Usurpation; there was a brief revival in the weeks immediately preceding the Restoration, and even a

hope of comprehension in the Establishment, but the Cavalier reaction thrust even the aristocratic type of Presbyterianism into the abyss of social and political disability, and the term came to be used loosely of dissent, whether extreme or moderate, religious or political. While Roman Catholics were penalized, Presbyterians were ostracized, a difference thus explained in Crowne's *Sir Courtly Nice* (1685):

Testimony (A Fanatic): Friend, if you be a Papist, I'll ha' you before a justice.

Hothead (A Zealot): Sirrah, if you be a Presbyterian, I'll kick you downstairs.

It is probable that after 1660 many Presbyterians went over to Anglicanism, thus providing the nucleus of a Low-Church party; but a greater number may have joined the Independents, who were the true exponents of native nonconformity, the legitimate inheritors of the Wycliffite tradition, and among the progenitors of Wesleyanism and Congregationalism. The Independents were to be found throughout England; but they were strongest in London, in the weaving villages of East Anglia, and in the towns of the south-west, in Gloucestershire and in Bedfordshire. Rejecting altogether the institutional conception of the church, they dissociated religion from the state; they thought of each congregation as a distinct entity, responsible for its own organization; and from the Bible they derived both the inspiration and the confirmation of the pettiest acts of human existence. By this substitution of individual judgement for definite dogma and ordered worship, they offended all the best seventeenth-century canons, particularly as they were mostly 'small' men, pursuing mechanical occupations in crowded little towns, and therefore thought to be in special need of control and supervision. In the New England colonies Independency found its fullest expression; for there its emotionalism accorded well with the needs of men thrown back on themselves for the perpetuation of their civilization; producing pioneers, ruthless and indomitable in their leadership, and a chosen people, jealously safeguarding those religious and civil convictions which they had brought with them into the wilderness.

Thus English Independency acquired some influence and

cohesion by contrast with the more formal Presbyterianism. The same is true of the Society of Friends,¹ founded by George Fox (1624–91), the son of a Leicestershire weaver, and on his mother's side a descendant of martyrs. He received a 'call' at the age of 19, but, as his doubts were not dispelled by consultations with the clergy, he began his ministry by the most spontaneous of all methods—by brawling in church. His personal emaciation and his gift of second sight made him tolerant of blows, and both candid and trenchant in his utterances, which had a simplicity and directness that would have been destroyed by book-learning; for he was 'one of Nature's originals, being no man's copy', a creature of complete spontaneity and impulse, more likely to remove his boots than his hat. At first he consorted mainly with Baptists, from whom he recruited many followers; these converts, first named Children of the Light, were afterwards called Truth's Friends, and in 1650 they were termed Quakers. Soon the society was reinforced by admission of the more visionary of the Sectaries, whose almost corybantic enthusiasm was soothed and regulated by Fox's discipline of silence; indeed it was by this mingling of emotionalism with quietism that Fox wielded his influence over contemporaries. This dualism has influenced the later history of Quakerism. In 1668 it was noted that, because of the severity of the law against them, they began to be respected,² and by 1669 they may be considered an organized body; for they commenced their yearly meetings in that year; and thereafter they were purged and welded in the fires of persecution which, for George Fox, were tempered by his absences on missionary work in Scotland, Holland, and North America.³ With other Nonconformists the Quakers enjoyed a brief respite from persecution between 1672 and 1675; but in 1684–5 the rigour against them was renewed for a short period, and nearly 1,400 were confined in gaol.⁴ On

¹ There is a large literature of the subject. Reference should be made to Fox's *Journal*; also, W. C. Braithwaite, *The beginnings of Quakerism and The second period of Quakerism* (1660–1725); also E. B. Emmott, *The story of Quakerism*, and M. E. Hirst, *The Quakers in peace and war*.

² *Grey*, i. 128.

³ For a survey of Quaker life and organization see C. E. Whiting, *Studies in English Puritanism*, ch. v.

⁴ Braithwaite, *The second period of Quakerism*, 84, 100.

both English and American civilization they have left their mark; for they were among the earliest opponents of dynastic wars; they have always consistently advocated national development by peace rather than aggression, and their deep convictions have generally been linked with personal integrity and business aptitude. The Quakers were the dynamic force in English dissent.

The Baptists are said to have derived their first inspiration from John Smith, a vicar of Gainsborough, who in 1608 fled with some of his parishioners to Amsterdam, where he founded a church. He believed that baptism could regenerate the adult alone, and only after he had made a personal confession of faith. He held also that the true apostolic succession had been lost, and that the Church must be restored to a primitive and apostolic model. By 1644 two forms of Baptist worship were established in England—the General Baptists who, like the Arminians, believed in a universal atonement for all men; and the Particular or Calvinist Baptists who limited regeneration to the Elect. They both issued confessions of faith in 1677–8 and held several general assemblies in the later years of the century. They were strongest in Kent, Leicestershire, Lincolnshire, and Buckingham, but practically non-existent in the north of England, and it was in North America, rather than in England, that they achieved their fullest development. General Harrison, though classed as a Fifth Monarchy man, professed adherence to their principles; John Bunyan,¹ though often regarded as a typical Baptist preacher, repudiated the name, and cannot be definitely allotted to any one sect.

But this enumeration fails to do justice to the rich variety of English dissent.² When Cosmo III, grand duke of Tuscany, travelled in England he was astounded by the number and diversity of the recognized religious beliefs.³ There were the Brownists, a congregational sect; the Fifth Monarchy Men, who awaited Christ's reign of a thousand years, and believed that women should be admitted to the ministry; the Sabbatarians,

¹ For Bunyan see *infra*, ii. 738–41.

² For a full account see C. E. Whiting, *Studies in English Puritanism*.

³ L. Magalotti, *Travels of Cosmo III* (1821); also Whiting, *op. cit.*, ch. vi, 'The Minor Sects'.

who kept the Sabbath with Jewish rigidity; the Muggletonians, who were alleged to believe in the efficacy of cursing and swearing; the Libertines and Antinomians, who distinguished between the sins of the wicked and the sins of the Children of Light; the Ranters, who burnt bibles; the Adamites, who rejected clothing; the Anabaptists, who rejected infant baptism; and the Familists, who rejected all but love. Such at least were some of the distinctive tenets imputed, rightly or wrongly, to these sects. For adequate commentary on these rejections and expectations resort must be made to the famous box, from which James II extracted the mysterious documents¹ penned by his royal brother. 'It is a sad thing to consider', announced the oracle from the box, 'what a world of heresies are crept into this nation; every man thinks himself as competent a judge as the very apostles themselves. If the power of interpreting Scriptures be in every man's brain, what need have we of a church?'

But these multi-coloured products prove a native vigour in the garden of English religion, constantly fortified by the pruning of legislator and justice, and impervious to the icy blasts of sarcasm and ridicule. Englishmen were less sensitive than Frenchmen to the ludicrous or the bizarre; hence *Hudibras* never achieved the success of the *Satyre Menippée*, and the 'good nature' which Clarendon noted as a characteristic of Englishmen² helped gradually to foster a tolerance of personal opinion. As nowhere else, men acquired the habit of thinking for themselves. Insistence on uniformity served only to strengthen disagreement; and to Clarendon may be attributed some responsibility for the entrenchment in our national life of the one native institution which no foreigner can hope to copy—the nonconformist conscience.

¹ *Sloane MS.* 3251, ff. 12-14.

² Clarendon's speech, Sept. 13, 1660, in *L.J.* xi. 174.

VI COMMERCE AND TRADE

THE surveyor of Charles II's England would have learned much about its commerce from ships and cargoes. Thus, in the coasting trade, carried on by ships of seldom more than 40 tons burthen, there was conveyed a great number of goods which to-day would be transported by road. Provisions, raw hides, horses, cattle, malt, saddlery, soap, iron, tin, and pewter-ware were then transported by sea, these humble cargoes being seldom without a consignment of highly flavoured spices such as aniseed and caraway. Inspection of the larger ships entering English ports might reveal a cargo of 'sea cole' from Newcastle, or iron from Stockholm, salt from France or Scotland, brandy and wine from Bordeaux, canvas from Brittany, wine from Cadiz and the Canaries, deal planks and resin from Norway, spices, carpets, and oriental ware from Smyrna, the Levant, or the East Indies. Mixed cargoes would include Flemish soap, spruce deals, flax, potash, whale-fins, Scotch salmon, pipe-staves, and wrought silk.¹ Outward-bound ships might have coal² for Lisbon; hemp-seed, barley, oats, and wheat for Dutch ports; 'decayed pease' for Norway; or sprats for Rotterdam; but all these exports yielded in importance to the vast quantities of manufactured cloth and woollens which then found a ready market abroad. Ships sailing to the Mediterranean were sometimes (owing to the danger from pirates) mustered into fleets—a practice facilitated by the seasonal character of some of the trades. For example, the earliest pilchard ships generally sailed from Plymouth in August, and might pick up in the Channel a fleet of cloth ships bound for Turkey; late in October these ships started their homeward voyage with cargoes of currants

¹ Information derived from the *Port Books* (P.R.O.).

² For the state of the coal trade in 1671 see *H.M.C. Rep.* ix, app., pt. ii, where a petitioner stated that English coal was sold cheaper abroad than at home. It appears to have been exported mainly to Ireland, Portugal, and the Plantations. For the difficulties consequent on the inequality of Customs duties on English and Scottish coal see *Carte MS.* 34, f. 170 (Apr. 1665).

and oil. In November the latest pilchard ships were sent out, and, after landing their wares at Venice, Zante, Smyrna, and Messina, returned with the last consignments of oil and fruit.¹ Occasionally these fleets were convoyed.

Evading the Customs was reduced by some shipmasters to a fine art. Thus a ship from Holland, France, or Flanders with 'fine and high-customed goods' might unlade these at sea into a collier, which would smuggle them in under its coal; or the richly-laden ship might manage to press in with a fleet of colliers and so escape unnoticed; sometimes also brandy, wine, linens, silk, and spices were concealed under apples or onions, which took so long to sell in port that, after about a week, the tidesmen were discharged, and the more valuable commodities could then be landed; or a ship coming from Norway, supposed to have nothing but heavy and large goods such as timber, might have taken in a cargo at Amsterdam before sailing to a Norwegian port.² Occasionally goods were smuggled in warships.³ In order to cope with these evasions, the legislature was obliged to strengthen the powers of the Customs officials,⁴ and though smuggling was never stamped out, it was carried on under greater difficulties.

From these observations it might have been deduced that England had a large trade with Portugal, Brazil, the Canaries, and Madeira in sugar, 'speckled wood' (mahogany), fruit, and sack; with France, in canvas, linen, brandy, and wine; with the Baltic, in ships' stores; with the Mediterranean, in spices, silk, fruit, and oil. In exchange for these were exported commodities such as fish, tin, lead, and manufactured goods, mainly cloth. It would be noted also that many of these imports were re-exported, and that England was becoming a staple for tobacco, most of it from Virginia and Maryland, and of sugar, notably from Barbados. Further investigation would have shown that the balance of our trade with Flemish ports was favourable, our exports being estimated at twice the value of our imports;⁵ that

¹ Proposals touching convoys, in *Memoirs of the English Affairs, chiefly naval* (1729), 196.

² Proposals for advancing His Majesty's Customs, in *Shaftesbury*, xxx, no. 67.

³ For evasions of the Navigation Acts see *infra*, 243-4.

⁴ See *infra*, ii. 422.

⁵ *H.M.C. Rep.* ix, app., pt. ii. 11, Mar. 1671.

with Portugal, the balance was becoming increasingly favourable,¹ owing to our increased exports of coal, cloth, corn, fish, lead, and tin, commodities which were paid for in bullion, sugar, mahogany, fruit and wine; and that Spain also was a good 'vent' for our products, though her colonial empire was still closed to English trade. France, on the other hand, was responsible for a heavy balance against us, estimated in 1674 to be nearly a million pounds per annum.² English opinion was influenced by these facts, in so far as they were known. Patriots, however, were concerned not only with the disparity between the values of our exports to France and our imports therefrom, but with the supposed effeminate character of these latter, consisting as they did mainly of silk, claret, and fancy goods. Had the patriots been in possession of all the facts, they might have found still further cause for indignation; because in the course of the reign there was a steady increase in luxury imports, especially from France. In 1680 they included green tortoise-shell from Jamaica, wrought silk from Leghorn, hair and periwigs from Rostock, tobacco boxes, 'marmerlade' boxes, children's daggers and rattles from Bilbao, singing birds from Rotterdam, 'diaper napkening' from Hamburg, and from France (the interdict on her wincs, linen, cloth, silk, salt, and paper had been imposed in 1678) there were commodities which must have shocked any sober-minded Saxon—cucumbers, hair-powder, chocolate, preserved ginger, almonds, looking-glasses, tooth-brushes, and even paving pebbles.³ It was in our ports that was most clearly evidenced the great development of wealth and luxury in the reign of Charles; and the parliamentary debates of the reign might have been even more acrimonious had our politicians been in the habit of frequenting the docks.

England was comparatively late in entering the race for maritime supremacy. By 1660 the United Dutch Provinces had made serious inroads on the monopoly of colonial empire formerly divided between Spain and Portugal. Her scattered plantations in the west, together with her trading interests in the Mediterranean and in the east, forced England into the

¹ *Ibid.* 11-12.

² *Ibid.* 14, 33.

³ *Port Book*, 95 (London, 1680).

contest; but internal troubles prevented a good start, and much lee-way had to be made up; for, by their industry and concentrated effort, the Dutch had already entrenched themselves in the East Indies, where their island empire could be best defended by their ships; in the New Netherlands they had a wedge dividing our North Atlantic possessions, and they had built up a world-wide carrying trade, with which no rival could hope to compete.¹ In this they had been helped by certain racial and geographical advantages. When other nations were dreaming of military glory or religious uniformity, they were creating a wealthy civilization based on toleration, enterprise and penetration. They had abundance of cheap capital, and Amsterdam was soon to become the world's money market. Situated at the confluence of great rivers, they had convenient transport, supplemented by so many canals that few of their greater storehouses were more than a hundred yards from navigable water. C Indeed they were universal in their activities, producing little themselves, but exploiting and transporting the products of others; 'for do they not work the sugars of the west? the timber and iron of the Baltic? the lead, tin, and wool of England? the hemp of Russia? the yarns and dyeing stuffs of Turkey? To be short, in all the ancient states and empires, those who had the shipping had the wealth.'²

In comparison, England at the moment of the Restoration was poor and unprogressive. The yield from the Customs was little different from that of 1640. The old chartered companies had difficulty in providing adequate outlets for the export of English goods; the Merchant Adventurers were in debt; the Levant Company was suffering from the frauds of its factors

¹ Cf. Dryden, *Annus Mirabilis*:

For them alone the heavens had kindly heat,
In eastern quarries ripening precious dew;
For them the Idumæan balm did sweat,
And in hot Ceylon spicy forests grew.

The Sun but seemed the labourer of the year;
Each waxing moon supplied her watery store,
To swell those tides, which from the Line did bear,
Their brim-full vessels to the Belgian shore.

² Petty, *Political Arithmetic* in *Economic Writings of Sir William Petty* (ed. C. A. Hull), i. 258.

and its rivalry with the French; the Greenland Adventurers were ceasing to pursue the whale; the African Company was barely able to hold its own against the Dutch on the west coast of Africa; the East India Company was bombarding the privy council with complaints against its Teutonic rivals in the East Indies; the herring in British waters were being caught and marketed by foreigners with an assiduity exasperating to helpless spectators. A pleasure-loving king and a government in continual fear of republicanism and dissent completed this unpromising outlook for English commercial development. These were the obvious disadvantages; deeper down were other impediments, such as the acute Petty¹ enumerated—namely, the great differences in colonial legislatures and the anomaly of the New England confederacy, so marked an anomaly 'that 'tis hard to say what may be the consequences of it'; the bitter differences about questions of royal prerogative and parliamentary privilege; the want of real union with Ireland; the levy of taxes on capital, especially land, and the loss to the revenue from tax-farmers; the inequality of shires, dioceses, and the representation of the people in parliament, 'all which do hinder the operations of Authority in the same manner as a wheel irregularly made and eccentrically hung'; and, lastly, the division of power whereby the rights of raising money and of making war were in different hands. All of these impediments, thought Petty, were artificial, and their removal would promote commercial expansion.

But England had certain latent advantages for the race in which she was about to take part. Co-operation between committees of the privy council and merchants shows how the administration fully realized the need for technical advice; specialists such as Povey and Downing were given abundant scope. Constantly were matters of trade and commerce discussed by parliamentary committees, where evidence was heard from persons likely to be affected by proposed legislation, and where witnesses often emphasized the relative advantages possessed by the Dutch—their thrift, small ships, low duties, low interest, banks, mercantile law, inland navigation, easy admission of burghers, encouragement of fishing, good poor laws, religious

¹ *It'd ch v.*

liberty, and high average education.¹ Some Englishmen thought that these things were inconsistent with monarchy, and that their adoption would cause the crown to fall into a republic; others on the contrary held that everything was to be gained by following the Dutch example. Our statute book shows a few traces of the latter view; for the legislature passed an Act² against the taking of excessive interest, limiting the legal rate to 6 per cent.; attempts were made to amend the laws of bankruptcy³ and of marine assurance;⁴ the measures of corn and salt were standardized;⁵ the herring fishing encouraged;⁶ and the packing of butter was subjected to definite rules,⁷ in order to prevent fraud and the use of defective casks. Even more, however, than this administrative and legislative activity, there was this advantage for England that the right human material was available; because the best families did not disdain to enter trade, as is shown in the histories of the Finch, Reresby, and North families. There was also the contribution of Protestant nonconformity, a contribution marked by the qualities of industry and integrity, reinforced by the skill, capital, and enterprise of the Huguenot refugees, whose migration to England, begun in Elizabeth's reign, reached its maximum in the years 1680-90.⁸

Concurrently with these developments, there became manifest a more general recognition of the fact that commerce is an affair of state, 'because it conduces more to a universal monarchy than either arms or territory'.⁹ Public interest in the subject was also

¹ *H.M.C. Rep.* viii, app., pt. i, 133-4. Minutes of committee to consider fall of rents and decay of trade, Oct. 28, 1669.

² 12 Car. II, cap. xii.

³ The Statute 14 Car. II, cap. xxiv, excepted from the bankruptcy legislation all investments in the East India Company, the Guinea Company, and any joint stock for the fishing trade.

⁴ By 14 Car. II, cap. xxiv, the lord chancellor might authorize standing commissioners to hear disputes between merchants regarding marine assurance.

⁵ See *infra*, 230-2.

⁶ 22 Car. II, cap. viii.

⁷ 14 Car. II, cap. xxvi.

⁸ The increased immigration of Huguenots into England after 1680 was fostered by Henry Savile, English envoy in Paris. For this see *Savile Correspondence* (*Camd. Soc.*); D. C. Agnew, *French Protestant Refugees*; and W. A. Shaw, *Letters of Denisation and Acts of Naturalisation . . . 1603-1720* (Huguenot Society, xviii).

⁹ Considerations about the commission for trade in *Shaftesbury*, xlix, no. 27.

shown by the publication of numerous pamphlets, in some of which an attempt was made to elucidate the laws governing international trade. While most of these books condemned the importation of French silks and wine as economically and morally indefensible, others maintained that all commercial restraints are intrinsically injurious, and that there can be no sound objection either to the French trade or to the East India Company's exports of bullion in return for luxuries, because, with variety of markets, there is greater wealth and elasticity than in restricted and protected markets.¹ One writer, Samuel Fortrey, while deploring our unduly large imports from France, contended that if the monopolies of the privileged companies were taken away, our commodities would sell at better rates, and our imports would be distributed at cheaper prices.² Later in the century, Dudley North went so far as to declare that no trade advantageous to the merchant could be injurious to the public, for 'no laws can set prices in trade, which must and will make themselves'.³ Money he defined as a merchandise whereof there might be a glut as well as a scarcity; his declaration that any special favour to one trade is 'an abuse, and cuts so much of profit from the public' is an anticipation of later doctrine. 'A swap hurts not a nation' was a more concise expression of the same view.⁴

In one respect English legislation reflected this association of prosperity with commercial freedom. Late in 1660 the Council of Trade considered the question of export of bullion, and acted on advice of which a record has been preserved. 'The balance of trade (by which is understood the proportion that the commodities exported have in value to the commodities imported) is the main cause of exportation and importation of bullion'—such was the pronouncement of the Council;⁵ it was deduced from this definition that restriction of the export of bullion was an interference with the balance of trade, and was therefore

¹ Cf. *England's great happiness* (1677), printed in J. R. McCulloch, *Literature of political economy*. Mun's tract *England's treasure by foreign trade*, written early in the century, was printed in 1664.

² *England's interest and improvement* (1663).

³ *Discourses upon trade* (1691).

⁴ J. Houghton, *Collection for improvement of husbandry and trade* (1727 ed.), ii. 474.

⁵ There is a copy of their minute in *Rawl. MS. A. 478*, f. 80.

injurious. In spite of a protest by the Lords¹ this advice was given legislative effect in the comprehensive Act for the encouragement of trade.²

But against these considerations in favour of open competition, there was at that time a stronger case in favour of regulated trade. In the opinion of the majority, national prosperity was subordinate to national security; and the minute control extended over the citizen at home should, it was held, extend in some measure to the merchant trading abroad. Hence the crown, vested with the prerogative of regulating the course of foreign trade, maintained that control by the grant of exclusive monopolies and charters. The privileges of at least five companies were therefore confirmed; new ones were established, and accordingly the main arteries for the circulation of English exports were the East India Company, the Levant Company, the African or Guinea Company, and the Canary Islands Company, together with the old Merchant Adventurers (trading with Germany and the Netherlands in cloth) and the Eastland Company (importing naval stores from the Baltic). A Royal Fishery Company was formed in the hope that England might derive some benefit from the abundance of herring in her own waters, and a Hudson's Bay Company was founded to exploit the furs and skins of the Hudson's Bay territory.

Each of these companies has a distinctive history.³ One of the first to lose its monopoly was the Merchant Adventurers, which was a Regulated company, having no joint stock; consequently it was obliged to pay the interest on its loans by a levy on cloth. This caused dissatisfaction, and, moreover, the company was unable to free itself from debt, which in 1664 amounted to £75,000. Its decline was hastened also by the diminution in the

¹ *L.J.* xi. 571, July 24, 1663.

² 15 Car. II, cap. vii.

³ For this see Cunningham, *Growth of English Industry and Commerce*, *Modern Times*, pt. i (4th ed.), 214-79; Lipson, *Economic History of England*, ii, ch. 2. For the separate companies see M. Epstein, *Early history of the Levant Company*; A. C. Wood, *The English embassy at Constantinople in E.H.R.* xl. 1925; G. F. Abbott, *Under the Turk in Constantinople*; G. F. Zook, *Company of Royal Adventurers trading into Africa*; S. A. Khan, *The East India Trade in the seventeenth century*; H. B. Morse, *The Chronicles of the East India Company trading to China*. There is a vast amount of information in W. R. Scott, *Joint Stock Companies* (3 vols., 1912).

exports of undressed cloth, owing to improved methods in dyeing and dressing at home.¹ Another of the Regulated companies that failed to exclude free traders and interlopers was the Eastland Company, whose privileges were seriously curtailed by the Act of 1673 which opened up the trade to Sweden, Norway, and Denmark, and conferred the right of membership on all persons paying an entrance fee of forty shillings.² This left only the eastern coast of the Baltic as its monopoly, and thereafter the Company existed in little more than name. So too, the old Russia Company, at first a joint stock enterprise, was unable, after the Restoration, to secure its former privileges in Russia, and thereafter survived in the Regulated form, as a loosely knit body of merchants having irregular Russian sailings. Not till the eighteenth century did this trade become extensive.³ In contrast with these companies was the Hudson's Bay Company, which resulted from the repeated, earlier attempts to find a North-West passage. Originally a French-Huguenot venture, the enterprise was taken over by an English Company, and with the help of prince Rupert a charter was obtained in 1670. Superiority in shipping enabled the Company to hold its own against the French, and as the greater part of the capital came to be concentrated into few hands, it was possible to maintain a certain continuity and consistency of policy.⁴

The East India Company was the most important of these privileged organizations. Originally a Regulated company, it had long been conducted on a joint stock basis, whereby losses on hazardous and lengthy voyages were distributed among the shareholders, who were now trading on the sixth of their successive stocks—a sum of £400,000 raised in 1657, estimated ten years later to be worth £1,200,000. During the earlier years of Charles's reign this trade was conducted by a fleet of about 28 ships, of between 250 and 600 tons burthen, of which about 14 were sent out each year. These ships, large and well built, were turned over into other trades after seven years' use, where they were generally thought to be good for another thirty years'

¹ Scott, *op. cit.* i. 268.

² 25 Car. II, cap. vii; Lipson, *op. cit.* ii, 325.

³ Lipson, *ii.* 332–3.

⁴ For the early history of this company see R. E. Pinkerton, *The Hudson's Bay Company*.

service;¹ indeed, until the advent of steam, the East Indiamen were the finest and fastest ships of the mercantile marine. The Company had gained a footing in China, with head-quarters at Amoy, and had trading connexions with Persia. In India, a number of factories were established; and the acquisition of Bombay² from the crown added the responsibilities of civil jurisdiction to the privilege of trading monopoly.

The chief imports from the east were indigo, raw cotton, raw silk, porcelain, saltpetre, and calicoes. Pepper was imported, but often at a loss, a policy persevered in to prevent the Dutch from monopolizing this trade. Tea began to be imported in considerable quantities in 1678. Calicoes and chintzes were to be found in almost every cargo, and at East India House were stored a great assortment of eastern fabrics with such recondite names as sallompores, percellaes, moorees, gingham, izzarees, romalls, mullmulls, and sarnoes. In return for these the Company exported bullion, cloth, lead, iron, and quicksilver. It has been asserted that in the last ten years of Charles's reign a total of about four million pounds of coin and bullion was exported,³ but, concurrently with this, great quantities of manufactured cloth were sent out, and a considerable proportion of the imports was re-exported. The Customs also benefited, the amount derived from this source in 1681 amounting to £60,000.⁴ Large dividends were paid by the Company, not always warranted by trading profits. In the years 1663-5 these averaged 40 per cent.; there was a drop during the Dutch wars, followed by fluctuations from $\frac{1}{2}$ per cent. in 1678 to 50 per cent. in 1680, with averages of about 25 per cent. thereafter.⁵ Numerous loans to Charles II enhanced this reputation for prosperity, over £80,000 in the years 1660-7 and a total of £324,000 in the period 1660-84.⁶ There were about five hundred shareholders, including the king, the duke of York, and many courtiers. Strict economy, even to cheese-paring, and rigid enforcement of its monopoly were the

¹ Williamson's notes about the East India Company, in *Cal. S.P. Dom.*, 1677-8, 363.

² See *infra*, ii. 659-62.

³ S. A. Khan, *The East India trade in the seventeenth century*, 169.

⁴ *Ibid.* 172.

⁵ *Rawl. MS. A.* 245, f. 1.

⁶ Khan, *op. cit.* 150. Information compiled from Court Minute Books of the East India Company and Calendars of Treasury Books.

watchwords of its directors, in pursuit of which policy they had the assistance of some of the best business men of the period, including the two Childs, the merchants Papillon and Dubois, sir Samuel Barnardiston, and alderman sir John Moore. But its finances were not so sound as the figures implied. In 1681 the Company owed more than half-a-million pounds,¹ and after the Revolution its stability was further weakened by the increasing activities of interlopers. For Charles II it was a useful money-lending corporation, and in return he was obliged to make the protection of its interests a matter of national policy, even where the defence of these interests might not be in accord with economic principle; for England it was a national institution, essential to the maintenance of commitments and interests in the east.

The Levant Company, a Regulated enterprise, wherein each merchant traded with his own capital, was destined to a less successful career, mainly because of French rivalry in the eastern Mediterranean, and because the Company's agent in Constantinople, obliged to combine ambassadorial with commercial duties, had to pacify each of a rapid succession of temperamental Grand Viziers. It needed natural as well as material gifts to cope successfully with Turkish officialdom.² At sea, the Company's fleets were often at the mercy of Mediterranean pirates, while in the east the subsidized French company, with its shorter sea-passage from Toulon or Marseilles, and a more ancient association with the Ottoman, served to place the English Turkey merchant in a position of disadvantage. English cloth was the staple article of export, in return for 'currans', dates, carpets, and a medley of Levantine goods. A new charter was granted in 1661, and a short period of comparative prosperity ensued; but this was precarious, as so many factors in the east traded on their own account; while at home the Company had to face the criticism that it 'rigged the market' by fixing the prices at which cloth was sold abroad and imports at home.³ In 1754 the trade was thrown open, and in 1825 the Company surrendered its charter.

¹ Khan, 172.

² Many illustrations are provided in the career of sir John Finch. See G. F. Abbott, *Under the Turk in Constantinople*. For Dudley North's dealings with the Turk see his biography in *The Lives of the Norths*. ³ Lipson, ii. 342.

Sir John Finch and sir Dudley North were the greatest of the Turkey merchants in this period, both of whom excelled in diplomatic finesse, a quality abundantly exercised during their stay in the east.

Earlier in the century a number of adventurers had attempted to develop the West African trade, and in 1663 the duke of York and prince Rupert lent their aid to the foundation of a joint-stock enterprise, the Royal African Company,¹ intended to exchange English manufactured goods for gold and ivory, and to maintain a supply of negroes for the plantations. Starting with a nominal capital of about £120,000, of which £20,000 was privately borrowed and £44,000 unpaid,² the Company sent twenty-five ships to the African coast, and from the gold which they brought back were minted guineas. But from the first the Company had to contend with serious difficulties. A large percentage of negroes, packed into the vile-smelling holds of the west-bound ships, persisted in dying; there were constant disputes about the price of the survivors, most of them weakened or diseased by the voyage; and when a figure of £17 or £18 a head had been agreed upon, the Company usually had difficulty in collecting the money from planters, accustomed to living on the credit of long-term 'chits'. Even more serious was the persistent opposition of the Dutch, who mapped out the whole trade of the Ivory and Gold Coast for their own, and did not scruple to incite the native to attack the English in isolated forts. In consequence, the Company was soon in a precarious position; the raids of De Ruyter accounted for eight of their ships, and left them with only one fort—Cape Corse; trading licences were granted to private persons, and what remained of the Company's fleet was turned over to the king's service. The more enterprising members of the Company traded separately, and in 1669 a body of them was formed into the Gambia Adventurers, with a monopoly of the trade of northern Africa for seven years.³

But the most exasperating failure of all was that of the Royal Fishery Company. This was no new venture. In August 1661

¹ The shareholders included the king, queen, duke of York, prince Rupert, and 107 others. For their names see *Rawl. MS. A. 478*, f. 4.

² G. F. Zook, *The Company of Royal Adventurers trading into Africa*, 16–18.

³ Zook, *op. cit.* 29.

letters patent¹ touching the 'Royal Fishery' were issued, which, after reciting the fact that 'great plenty' of fish were to be found in English estuaries, appointed commissioners with powers to make regulations for the Fishery industry and to employ officials. The king was declared 'Protector' of the new association, and fishermen were accorded exceptional privileges—they were to be amenable only to the Council of the Royal Fishing; neither they nor their boats might be arrested for debt; they were to be exempt from jury service, and were to have favourable treatment from the Customs authorities. The Company was incorporated by letters patent dated April 8, 1664, with the duke of York as governor, assisted by a directorate of peers and ministers. As there were no funds, money was to be obtained by assigning certain lotteries for the exclusive benefit of the enterprise (at the expense of those needy veterans The Loyal and Indigent Officers), and by the issue of a brief for the collection of offerings in parish churches. Innkeepers were ordered to take a minimum number of barrels of the native fish; wharves, quays, and store-houses were to be erected; fishing busses and pinks were to be built; and Englishmen were at last to eat herring caught and salted by their compatriots. With the help of an organizer named Simon Smith the principles of deep-sea fishing were promulgated in an official pamphlet entitled *The Royal Herring Buss Fishing*.²

The total amount raised from the offerings in parish churches amounted to £818 6s. 4½d., which had cost about £500 to collect.³ There is an ominous silence⁴ about the amount received from the lotteries. Nevertheless a start was made; ten fishing boats, costing about £900 each, were built, and a subsidy was promised to builders of herring boats. But the exalted persons who controlled the destinies of the Company were not deeply interested, and rarely met; in consequence, even this modest enterprise speedily declined, and the Dutch could well afford

¹ *Stowe MS.* 325, f. 152. For the earlier attempts to establish a herring industry see J. T. Jenkins, *The Herring and the Herring Fisheries*, 81 sqq.

² Proclamation of July 23, 1660. *Steele*, i. 3235.

³ J. R. Elder, *The Royal Fishery Companies*, 99.

⁴ Broken by a reference from Pepys (Oct. 18, 1664), who was ashamed that so noble an object was dependent on such a base means.

to ignore the amateurish English effort. It needed only war at sea to end the experiment, and by 1667 the Royal Fishery Company had ceased to exist. A new company was formed in 1676 under the nominal leadership of York and Danby, with a capital of about £10,000. There was an element of irony in the fate of this company. As English ship-builders were slow to adapt themselves to the building of the type of craft required for this industry, the Company had to have its ships built in Holland, and some of them were even manned with Dutch crews. For this reason they were seized by the French in their naval warfare with Holland. Moreover, insult was added to injury; for while the Dutch were the most eloquent advocates of freedom of the seas in home waters, they were acting on the opposite policy in the East Indies and on the African coast; thus having it both ways, and so irritating defeated rivals.

In this maritime contest the vital thing was the ship. That this was fully realized by the legislator is seen in the statutory attempts to encourage ship-building; thus, an Act¹ of 1662 imposed extra Customs duties on ships engaged in the Mediterranean trade having less than two decks, and granted a relaxation of one-tenth of the dues to all who, in the seven years after March 25, 1662, should build in His Majesty's dominions a ship of two decks or two-and-a-half decks with a forecastle and 30 pieces of ordnance. An Act² of 1670-1 provided that if a master delivered up to pirates a ship of not less than 200 tons and 16 guns he should thereafter be incapable of command. There was also the pressure of opinion. Repeatedly was this conclusive argument adduced in favour of a particular trade, that it would employ a larger amount of shipping than a rival trade; for example, the English sugar-refiners, when presenting their case for brown against white sugar, argued that the former needs thrice the amount of shipping used by the latter, owing to greater bulk.³ So too when, in 1671, it was proposed to increase the duty on plantation tobacco, the planters contended⁴ that the trade employed yearly 140 sail of ships averaging between 150-500 tons, and paying about £100,000 annually in Customs duties; the extra duty, they held, would mean a smaller demand and so a falling

¹ 14 Car. II, cap. xi.

² 22-3 Car. II, cap. xi.

³ *H.M.C. Rep.* ix, app., pt. ii, 11-12.

⁴ *Ibid.* 10.

off in shipping employed and Customs paid. It was maintained also that a trade employing English ships in long voyages was intrinsically better than one conducted in shorter passages; hence Downing argued against the linen and canvas trade with Brittany, in favour of the salt trade with Portugal, on the grounds that French trade 'sucks the marrow of our bones', and that the longer passage to Setubal would benefit our shipping.¹ Other evidence of the steadily increasing importance of shipping is seen in the beginnings of marine insurance.²

In ships and ship-building the Dutch had great advantages.³ They possessed abundant and cheap capital; their merchants could avoid the middleman by a network of foreign agencies; the ship-builder had his timber floated down to him on navigable waters; wages were lower and there was less wastage of material. In addition, more up-to-date methods and machinery were employed, with the result that it was possible to build at a cost of £4 10s. per ton, whereas in England the cost was £7. By mass-production methods our rivals were able to build quickly great fleets of single-decked fly-boats of 200-500 tons, long in proportion to beam, easily-worked, and presenting a very small free-board when fully loaded. But the material was not so good; they did not last so long as did English ships, and they broke up when they went ashore. Hence English ships, as then built, could not compete in trades where bulky commodities had to be transported quickly without regard to the needs of defence, that is, in the seas from the Garonne to Archangel, where the cargoes were mainly wine, salt, fish, grain, timber, and iron. England, therefore, could not hold her own in the Greenland,

¹ *L.J.* xii. 496.

² By 14 Car. II, cap. xxiii, commissions might be issued out of the Admiralty Court for the examination of witnesses abroad. In 1662 a colonel Russell proposed to raise a fund of £100,000 as capital for a maritime insurance company. (*Cal. S.P. Dom.*, 1661-2, 446.) The report thereon by the Council of Trade will be found in *Stowe MS.* 325, f. 184 b. In 1680 there was an office at the Royal Exchange where policies and charter parties were issued: the first notice of Lloyd's is in 1688. (F. Martin, *The History of Lloyd's and marine insurance in Great Britain*, 59.)

³ For this subject see an excellent article by Prof. V. Barbour, *Dutch and English merchant shipping in Economic History Review*, ii. This has been extensively used in the above paragraph.

North Sea, and Baltic trades. On the other hand, in the 'rich' trades of the East Indies, Levant, Madeira, and Guinea, where the cargoes were valuable in proportion to bulk, and the consideration of self-defence paramount, English shipping had the advantage. Our shipwrights could build a man-of-war, or a great merchantman easily convertible into a warship, or a fast frigate or even a yacht; but they were chary of modifying design, and hesitated to attempt a dogger, a whaler, a herring buss or a pink; whereas the Dutch adapted design to trade, and aimed chiefly at maximum stowage, with ease of handling. Our maritime failures have sometimes been attributed to unwise legislation, but it is possible that our overseas trade has been conditioned as much by our ships as by our laws.

The inadequacy of the Navigation Act of 1651 has helped to obscure some of the earlier attempts to obtain for England a share of the carrying trade. Though enforced in home waters, the Act of 1651 could not have excluded the Dutch from the American trade, so long as they were in possession of the New Netherlands, and so long as there was no machinery for enforcing the restrictions. But that the Act failed does not prove the motive behind it to have been impossible of achievement. A carrying trade can best be developed when one's neighbours are at war on the sea, and one's ships full of 'neutral' goods. Prior to 1648 the main combatants at sea were Spain and Holland; and so England, comparatively free from naval warfare, began tentatively to derive advantage from this unusual state of affairs by providing neutral transport for continental goods. A 'composition trade' was started at Dover, enriching the port with dues and English ships with freights. The practice in this trade was for merchants in Holland and Flanders to obtain advices of ships sailing from London for southern ports; these ships picked up at Dover the cargoes sent by foreign exporters, and so, by the payment of harbour dues and transhipment charges, belligerents were able to secure safe transit for their wares. This profitable trade appears to have been monopolized by Dover, because of its strategic position; and it is noteworthy that some foreign merchants preferred this method of transport owing to the reputedly greater safety of English ships. It was revived even in a year of European peace (1661) when the Council of

Trade imposed duties of 1 per cent. on Rate Book values of cargoes imported, with $\frac{1}{2}$ per cent. on their exportation; the privilege was then granted for three years, and it was proposed to extend it to Plymouth, Harwich or Newcastle, and Deptford. In 1674 when England withdrew from the Third Anglo-Dutch War leaving France to carry on hostilities, there was a return of conditions specially favourable to the composition trade, and Dover again obtained a renewal of the privilege. Already, however, England had embarked on a policy of obtaining freights not by trading quietly as a neutral, but by challenging the greatest sea-power of the century.¹

When on September 13, 1660, the Act for encouraging and increasing of shipping and navigation was presented to the Sovereign, the Speaker of the House of Commons announced that the Bill would enable His Majesty 'to give the law to foreign princes abroad . . . and it is the only way to enlarge Your Majesty's dominions all over the world, for so long as Your Majesty is master at sea, your merchants will be welcome wherever they come'. This was one of a series of measures to which collectively the name of Navigation Acts has been given. These Acts renewed and extended the Act of 1651, the basic principles of which had been:

- (1) That no goods were to be imported from Asia, Africa, or America but in English ships.
- (2) That goods from Europe could be imported only in English ships or in such foreign ships 'as do truly and properly belong to the people of that country or place of which the said goods are the growth or manufacture'.

The Act of 1660 (12 Car. II, cap. xviii) is so important that its clauses may be set forth in detail. The preamble described the purpose of the Act as 'the increase of shipping and encour-

¹ For the composition trade see *Stowe MS.* 325, f. 174-80; *Rawl. MS.* A. 172, f. 114; *Cal. Tr. Bks.* 1672-5, 245, 250. For the rules laid down by the Privy Council when the trade was renewed in 1661 see *P.C. Reg.* 55, June 10, 1661. On this occasion a special dispensation of the Navigation Act was made by a *non-obstante* in the privy seal authorizing the renewal of the trade. At the same time it was ordered that the plantations be not admitted into the Trade. It was left to the Lord Treasurer, the Chancellor of the Exchequer, and the late Farmers of the Customs to determine on what points the Navigation Act would have to be dispensed with.

agement of the navigation of this nation, wherein . . . the wealth, safety and strength of this Kingdom is so much concerned'. Then followed these clauses:

I. No goods may be imported to or exported from English possessions in Asia, Africa or America but in ships actually owned by Englishmen or Irishmen, whereof the master and at least three-fourths of the crew are English, under penalty of forfeiture of vessel and cargo.

II. No alien may exercise the office of merchant or factor in the Plantations.

Governors of Plantations are to take an oath for the strict observation of these provisions.

III. No goods of the growth or manufacture of Africa, Asia or America shall be imported into England or Ireland or the Channel Islands save in ships belonging to Englishmen or Irishmen, or belonging to denizens of His Majesty's territories in Asia, Africa or America, the master and crew to be qualified as above.

IV. Foreign goods brought into England or Ireland or the Channel Islands in English-built shipping must be shipped direct from their countries of origin, or from places whence they were usually first shipped.

V. Double aliens Customs duties are to be imposed on all dried or salted fish, oil, blubber, whale-fins and whale-bones imported in vessels whereof the owners had neither caught, cured nor extracted these commodities.

VI. Only ships owned by Englishmen or naturalized Englishmen and manned by the requisite majority of Englishmen may engage in the coasting trade of England or Ireland.

VII. All relaxations and abatements provided in the Book of Rates for goods imported or exported in English-built or Plantation-built shipping are to be granted only where the nationality qualification of the crew is fulfilled.

VIII. Naval stores, sugar, oils, grains, wines and spirits are to be imported only in ships owned by the original exporters and manned by the required proportion of Englishmen. Currants and commodities from the Levant are to be imported only in English-built ships, manned as aforesaid, with an exception in favour of foreign ships built in the country or place where the cargo was first shipped, provided master and crew conformed to the nationality qualification.

IX. French and Rhenish wine are to be deemed aliens' goods unless imported in English-owned and English-manned ships. Naval stores, oil, grain, sugar, potash and spirits, together with all Russian

and Levantine commodities imported in other than English-owned and manned shipping shall be deemed aliens' goods.

X. Certificates are to be granted by Customs Officers to shippers who attest that they are the bona-fide owners of the ships in respect of which the certificate is granted.

XI. Customs officers and governors of Plantations who grant the privileges of English shipping to foreign vessels, other than those conforming to the ownership and manning qualifications specified in the clauses of the Act appropriate to each particular case, shall be deprived of their offices.

XII and XIII. Provisos for transshipment of goods in favour of the Levant and East India Companies.

XIV. Goods are to be freely imported from Spain, Portugal, the Azores, Madeira and the Canary Islands in English-owned and manned ships.

XV. The Act shall not extend to Bullion.

XVI. Aliens' duty shall not be imposed on corn, salt or fish imported from Scotland in Scotch-built ships, whereof the master and three-fourths of the crew are Scots, nor on seal oil from Russia imported in shipping owned by some one at the place of export and manned by Englishmen.

XVII. A duty of Five Shillings on each ton of merchandise imported into England in French ships.

XVIII. Sugar, tobacco, cotton-wool, indigo, ginger, fustick and other dyeing woods of the English Plantations are to be shipped only to England or Ireland or other English Plantations.

XIX. English ships sailing for the Plantations shall give sureties (£1,000 for ships of less than 100 tons, £2,000 for ships of greater burthen) that if they ship in the Plantations any of the goods enumerated in clause XVIII, they will land them at English or Irish ports only, 'the danger of the seas excepted'. Ships from other places trading with the Plantations by permission of this Act shall give bond to the Governor of the Plantation that enumerated articles in their cargoes shall be landed only in ports of England, or Ireland or another English Plantation.

This Statute united a number of intentions, of which these may be definitely distinguished: (1) to benefit English shipping by giving it a monopoly in the plantation trade; (2) to keep aliens out of the plantations; (3) to secure the co-operation of the plantations in the scheme by imposing an oath on governors; (4) to extend a principle already applied to tobacco, namely,

that of 'enumeration', whereby certain specified raw materials were to be landed in England or Ireland only—afterwards amended to England only; in this way, England would become the staple for those sub-tropical commodities at that time most in demand; (5) to retaliate against those carriers, notably the Dutch, who shipped into English ports commodities which they had not themselves produced. An Act combining such a diversity of objects was bound to have only a qualified success; for example the first and last, as above defined, proved to be incompatible, because the effect of the last was to throw the Baltic trade in timber and ships' stores into the hands of Dutch and Danes, who were thus able to create a monopoly, whereby the price of these materials was raised for the English builder; and so the immediate effect was to make English shipbuilding more costly.¹ Formerly, English importers had used foreign-built ships for their imports from the Baltic; this they could no longer do, and as English ships were unsuitable for the stowage of timber, the immediate effect of the Navigation Act was to drive the English importer from the Baltic trade. The second object, to keep aliens out of the plantations, was not always economically defensible; because some of the colonies, notably Barbados,² had materially benefited from Dutch capital; moreover, to compel the plantations to confine themselves to the English market was to do them an economic injustice. The third object, that of inducing the colonial governors to co-operate by obliging them to take an oath, proved difficult of execution, but served at least to provide one common element in colonial administration. Lastly, the concentration of the 'enumerated' articles in England for redistribution created a partial monopoly in these articles, and so provided special protection for a limited class of importer.

There was nothing in the Act to prevent a direct trade between the plantations and European ports in colonial ships. This omission was remedied in the Act³ for the Encouragement of Trade (1663) which enacted that European goods for the plantations must be shipped in England and in English ships,

¹ Lipson, *Economic History*, iii. 131.

² V. T. Harlow, *Barbados*, 42.

³ 15 Car. II, cap. vii.

the reason cited for this inhibition being that it was the custom of other nations to keep their colonial trade to themselves. The exceptions in which there was permitted direct trade with Europe were salt for the Newfoundland and New England fisheries, Scottish and Irish horses and provisions, and wine from the Portuguese possessions of Madeira and the Azores. The system was made still more complete by Acts¹ of 1670-1 and 1673, of which the first excluded Ireland from the privilege granted by the Act of 1660 whereby enumerated goods might be landed there (with a saving clause for stress of weather), while the second imposed export duties on the enumerated goods when shipped from one plantation to another. The object of this last provision was to prevent leakage of these commodities into European trade from inter-colonial trade. Except that rice, molasses, and copper were later added to the list of enumerated goods, the Act of 1660, with the supplementary Acts of 1663, 1670-1, and 1673, remained the basis of the old Navigation Policy.

Assuming that defence is more important than opulence, the Navigation Acts were, wrote Adam Smith,² 'perhaps the wisest of all the commercial regulations of England'. The exclusion of foreign capital from our colonial trade reduced the total amount of capital available for that trade, thereby lessening competition and increasing profits on the restricted amount of capital so employed. Profits in this trade were therefore higher than they would have been in conditions of free trade. But this reacted unfavourably on those trades wherein English capital did not have protection, compelling us to buy dearer and less, and sell cheaper and less; so reducing production and consumption in trades for which England had natural advantages but no artificial monopoly. In effect, therefore, high profits on a portion of national capital and high wages for labour at home were counterbalanced by the underselling of English goods in foreign markets. Nor was this the only element of artificiality enforced by legislation; for the Navigation system transferred a considerable portion of our capital from a direct foreign trade into a round-about one, whereby this country paid for her continental

¹ 22-3 Car. II, cap. xxvi, and 25 Car. II, cap. vii.

² *Wealth of Nations*, bk. iv, ch. ii.

imports, not by the export of her own goods, but by the re-export of that amount of the 'enumerated' articles (notably tobacco and sugar) not required at home. Small direct foreign trades with quick returns were the alternative to this indirect trade with slow returns; but the latter policy appeared to benefit English shipping, and so was adopted even at the expense of penalizing an appreciable proportion of English capital.

Such were the ultimate effects of the Navigation Acts as expounded a century later by Adam Smith. His views had already been anticipated. Writing in 1671 Roger Coke contended that, on the whole, the system had injured English trade, and that Dutch prosperity had increased in spite of it. He showed how the retaliatory clauses had forced the Baltic trade into foreign-manned and foreign-owned ships.¹ Sir Josiah Child² maintained that, while the Acts had secured for us our trade with the plantations, and a good part of the direct Levantine, Italian, Spanish, and Portuguese trades, they had caused (mainly through high interest on scarce capital) the loss of the Greenland, Eastland, Scottish, Irish, and Guinea trades, the East India trade in spices, and the Norwegian trade in timber; the last to the Danes, most of the others to the Dutch. 'The Dutch low interest', he wrote, 'has miserably lessened us in all trades of the world not secured to us by laws, or by some natural advantage.' For example, we have natural advantages for the trade in red herring, because these abound off our coast; they must be brought fresh on shore and dried over wood fires. So too, we have the Newfoundland fisheries to ourselves, but if the Dutch with their cheap capital once obtained a footing there, they would soon drive us out. Our rivals, he argued, could always beat us in open market by buying dear and selling cheap; they were bound to reap advantage from the colonies of others, provided the trades of these colonies were not monopolized by the parent countries. Child attributed our high rate of interest to the trade of 'banking', and consoled his readers with the assurance that England still retained her supremacy in wool,

¹ R. Coke, *Reasons of the increase of the Dutch trade*. For a very able and lucid investigation of the effects of the Navigation Acts see Lipson, *op. cit.* iii. 116-53.

² J. Child, *A discourse about trade* (1690, probably written about 1666).

cheap fuel, victuals, red herring, pilchards, the Newfoundland cod-fishing, and the lead and tin mines.

Discussion of the effects of the Navigation Acts has sometimes been obscured by the assumption that these Acts were intended to secure one definite object. So far as that object was to knit the plantations into a scheme whereby their interests were subordinated to the supposed interests of the mother country, the Acts may be said to have succeeded; they also provided freights and long passages for English shipping. But it is more difficult to say whether they achieved their avowed object of encouraging shipping. On the one hand, it is indubitable that there was a steady increase in our mercantile tonnage;¹ but it would be rash to attribute this to Navigation legislation, because it may have been due to that development of commerce which proceeded irrespective of laws, and perhaps even in spite of these laws. The increase might, it is true, have been even greater in conditions of free trade, but this is in the realm of conjecture. It is possible that the most definite effects of the Navigation Acts may be traced not so much in the increasing volume of English trade as in its changed direction.

This change of direction may have been intentional on the part of those who framed the Acts. Their calculations were influenced by this consideration, that in the forty years preceding the Restoration our trade had altered in at least one respect, that there was a serious diminution in exports of woollen manufactures to the Hanse and Baltic towns; there was also a threat that the Dutch might drive us out of the Mediterranean trade, as they already, in effect, excluded us from the African trade and the spice trade of the East Indies. It was therefore not in an atmosphere of statistics or economic speculation, but under the threat of a menace to English political security and economic existence, that the legislators of the Restoration acted. They were faced with this alternative—either to restore the old trade with northern and eastern Europe; or to redress the balance by securing, as firmly as laws would permit, the still

¹ In sir R. Temple's *Revenue Collections* (Stowe MS. 324, f. 13) there is a list of ships entering the Thames that were large enough to be boarded by tidesmen. In 1672 these numbered 1,055; in 1676, 1,550; in 1680, 1,535; in 1685, 1,764.

unexplored resources of the North American colonies. So they took a decisive and momentous step. They surrendered the hemp, pitch, and tar of New England on which earlier legislators had set so much store; they ignored the pepper and cacao-nuts of Jamaica and the white flax of Virginia, for which a ready market might have been had at home, and they set themselves both to encourage and to monopolize commodities for the production of which it seemed that the empire had special advantages not shared by other colonial empires, namely tobacco, sugar, cotton, and dyeing woods. In return for these, English shippers would send out, not cloth, but iron, tin, and leather manufactures, with provisions and re-exported wines—commodities for some of which we had practically no European market. By exchanging our manufactured goods (other than cloth) for sub-tropical raw material, much of which might be re-exported, a diversion would be created from the old continental trade conducted mainly from ports on the eastern coast of England.

Other consequences were hinted at by contemporaries. The diversion to the west helped to develop ports such as Liverpool, Plymouth, and Bristol, and so relieved the congestion in London docks. Even more, by this closer dependence of the plantations on the home country, Englishmen increased 'the limits of their dwelling', adding not only the trade of one climate after another, but 'joining the countries themselves and the inheritance of them to these His Majesty's dominions; laying a just foundation for the making them an affair of state, and of far greater care, weight and import to the crown than others'. The more commodities we could obtain from the plantations, the more employment we should find for our colonists; and by multiplying the English stock in these outposts 'the empire of England is rendered more august, formidable and considerable abroad'.¹ In this way a contemporary attempt was made to justify the Navigation Acts on broad grounds of imperial as well as economic policy. Such a defence does more than justice to the legislators of 1660; but at least it suggests how the Navigation system may have appeared to the more open-minded of the Englishmen who first studied its effects.

¹ These extracts are from a MS. treatise of the late seventeenth century, *The advantages of trading with our plantations*, in *Rawl. MS. A.* 478, f. 65.

On the plantations, the immediate results of these Acts can be more definitely assessed. There were not enough ships within the category of English-built and English-manned to cope with the trade; consequently great quantities of produce, notably tobacco of Virginia and sugar of Barbados, were sometimes left in the hands of planters, for want of legally qualified ships. Hence an accentuation of the evils consequent on gluts—the most serious difficulty experienced by the producers of the enumerated products. It was not surprising, therefore, that in the colonies many attempts were made to evade the Acts. In the New England states the loss to the English Treasury on this score was said to be £100,000 per annum; in Maryland there was occasional difficulty in interpreting the intricacies of the system, causing disputes between the proprietor lord Baltimore and the English Customs officials; in Virginia, a councillor might sometimes be also a collector, and as such might have to inform himself of those laws which, as a trader, he had violated; but in his capacity of judge of the supreme court he could give a ruling thereon, thereby saving much friction, but still further increasing the loss to the Customs.¹ Evasion, especially in the earlier years of the system, was not difficult. Thus a Scottish ship would call at an English port for a cargo of 'slight goods', and would then return to a Scottish port for a great quantity of linen, which would be landed in a colonial port under cover of the English certificate.² Foreign Jews soon found a way out. One of a group, having obtained naturalization in England, would act there as an agent and cover for the cargoes of his unnaturalized brethren (mostly in Holland); or, by collusion with an English merchant, would pass off goods (assembled at Amsterdam or Rotterdam) under fraudulent entries.³ Agents for these purposes were to be found at several ports, notably Dover, Cowes, and Falmouth. The Jewish settlement in Barbados, by its English and Dutch agents, was able to undersell legitimate merchants by 20 per cent.⁴ Indeed, in August 1662 Downing complained to Clarendon that commodities of all

¹ P. A. Bruce, *Institutional History of Virginia*, ii. 360–1.

² T. Keith, *Commercial relations of England and Scotland*, 120 sqq.

³ S. Hayne, *Abstract of Statutes concerning aliens trading in England* (1685), 8 sqq.

⁴ V. T. Harlow, *Barbados*, 262.

sorts were being carried from Holland to England and Ireland as if there were no Navigation Act.¹

These evasions necessitated the establishment in the colonial ports of a preventive service; a necessary measure, but possibly responsible for more resentment than the Navigation Acts themselves, because involving conflict between colonial trader and English official. In 1669 the privy council ordered the Customs farmers to maintain, at their own charge, one or more persons in each plantation to administer the oath to the governor, and to prevent abuses in the collection of the Customs.² This control was not imposed without difficulty. Colonies, such as South Carolina, founded at a date later than the Navigation Act of 1660, claimed exemption; in Maryland, a collector of Customs was murdered by a member of the Council;³ in Massachusetts, where the laws were sometimes openly defied, there was growing up a direct trade in plantation goods with European ports conducted in ships owned by New Englanders.⁴ In 1671 the Customs farmers were displaced by commissioners of Customs, who directed special attention to tobacco smuggling in Virginia and Maryland, and by 1678 collectors of Customs had been appointed in all the colonies, these officials being concerned not only with the exaction of dues, but with the maintenance of the system by the colonial administrators, from the governor down to the subordinate clerks. The enforcement of the Navigation Acts therefore helped to engender friction between the crown's representatives, that is governor and council on the one hand, and the treasury representatives, that is the surveyors and collectors on the other;⁵ and it was a misfortune for the later history of the empire that the Englishmen with whom the colonists most usually came into contact were the agents responsible to the home country for the maintenance of a repressive economic system.

The restrictions had to be relaxed on several occasions, notably during the two Dutch Wars when it was imperative to secure naval supplies. One of the earliest relaxations was that

¹ Quoted in Japikse, *De verwikkelingen tusschen de Republiek en Engeland*, 55.

² *P.C. Reg.* 62, Jan. 20, 1668/9.

³ G. L. Beer, *The old colonial system*, ii. 173.

⁴ *Ibid.* ii. 251.

⁵ *Ibid.* i. 286 sqq.

for the free importation of spices, pending the surrender of Pularoon.¹ In January 1666 foreign mariners were allowed to be shipped at Ostend for service in English ships;² in the preceding year the trade with the Baltic in hemp, pitch, tar, masts, saltpetre, and copper had been practically thrown open. The reconstruction of London after the Fire of London made the shortage of timber even more serious, and led to further breaches in the system.³ There were also instances of special concessions made to Scots, notably to Scottish sugar-refiners, who undertook to bring their cargoes back to either Scotland or England; and in the colonies there was a general demand not only for Scottish provisions but also (notably in Barbados and Jamaica) for Scottish settlers.⁴ Scotsmen, it is true, could settle in the colonies, but as most of their trade therewith was vetoed, emigration was discouraged. So too, the exceptions in favour of Ireland did not help to conciliate opinion there. The Act of 1660 was welcomed because it did not distinguish between Irish and English shipping, and permitted the import of plantation goods, including the enumerated articles; but the Act of 1663 limited Irish exports to horses and provisions, and the Act of 1670-1 prohibited the import of the enumerated goods to any ports but English. In practice, this was often evaded by ships entering Irish ports under pretended stress of weather; and so long as provisions could be exported, Irish trade did not suffer so much as did that of Scotland. Irish resentment was directed not so much against the Navigation Acts as against the prohibition of Irish cattle in England.

Thus the Navigation Act was an essential part of the Restoration settlement, and involved two things destined to prove of consequence: a re-orientation of trade in the direction of the Atlantic, and a challenge to the Dutch monopoly of the carrying trade. The consequences of the second had speedily to be faced, and it is now necessary to outline the successive stages in the commercial conflict which led to war.

¹ Proclamation of Dec. 20, 1662. *Steele*, i. 3374.

² *Cal. Tr. Bks. 1660-7*, 714.

³ See *infra*, 305.

⁴ T. Keith, *op. cit.* 128.

The exchange of courtesies at the Restoration served merely to mask the rivalry and antipathy between the two peoples.¹ Charles had been extended a warm welcome in Holland, and, but for the Navigation Act, he might soon after his accession have obtained a loan from the Dutch; if, moreover, the commercial aims of the two countries had been reconcilable, it is possible that Englishmen would have welcomed an alliance with their co-religionaries against the French. There were half-hearted attempts at compromise. In October 1660 the Dutch ambassadors arrived with powers to negotiate a commercial treaty on the basis of the *Magnus Intercursus* of 1496—that is, free trade and equal fishing rights for both countries; but, with their restricted fleets, English commercial interests were not anxious to renew these privileges. There was also an old tradition, revived and amplified by Selden, that the seas round Britain were not free, and that England had prescriptive rights in the Channel, the North Sea, and the Atlantic as far west as America. Did not the Dutch themselves admit this when they dipped the flag? The English pretension was an absurd one, and was not so easily enforceable as were the Dutch claims to exclusive monopoly in the isolated and thinly-manned forts of West Africa and the East Indies; but this academic myth served nevertheless to sustain public opinion. In December 1660 a Bill was introduced into the Commons to provide means for preventing the Dutch from fishing off the English coast. The Bill was not passed, and could never have been enforced; but the mere threat was enough, for the States General were determined to maintain this fishing by war if necessary. Irritation was also caused by the Dutch failure to surrender the valued spice island of Pularoon; and so by April 1661 it seemed clear that there could be no commercial agreement between the two countries.

The Anglo-Portuguese marriage alliance of June 1661 helped further to complicate the situation. It served to justify Charles's offers of mediation between Portuguese and Dutch; but when, after De Witt's acceptance of English mediation, Downing was restored to his post as resident at The Hague, a fresh irritant was introduced into Anglo-Dutch relations; because Downing,

¹ Cf. Prof. Schoolcraft, *The capture of New Amsterdam* in *E.H.R.* xxii.

one of the most successful 'climbers' of the Restoration, was a keen business man, after the standards of his day, and was personally unacceptable to the equally astute business men of Holland. Though nominally a mediator, he directed his efforts to obtaining the elimination from the proposed Dutch-Portuguese treaty of everything that might conflict with English commercial interests.¹ Hence the Portuguese agent Miranda was soon placed in an impossible position. On the one hand he was being pressed by the Dutch to concede to them all the trading privileges already granted to the English, including preference in the salt trade of Setubal;² while, on the other, he had to satisfy Downing that the proposed concessions were not inconsistent with the terms of the Anglo-Portuguese treaty of 1654. From this apparent impasse Miranda easily extricated himself by suggesting the insertion of a clause to the effect that the concessions granted to the Dutch should be without prejudice to those already granted to the English. Clarendon, who did not wish to press matters, was willing to accept this, and indeed there was little support in England for Downing's peremptory attitude; and so the Dutch-Portuguese treaty was at last signed in July 1661. By this treaty the Dutch were placed on terms of equality with the English in the Portuguese trade, and were given preferential treatment at Setubal. Thus the Hollanders had obtained their privileges in the Portuguese empire by an inexpensive treaty; while England's admission into that empire had been at the expense of a diplomatic marriage. Moreover, it was noted that this treaty was not ratified by the States General until December 1662, nor published in Batavia until March 1663, an interval which enabled the Dutch to obtain possession of the Portuguese pepper trade of south-west India.³

Charles, who had no love for the rule of the commoner De Witt, resented his exclusion of the young prince of Orange from office; but neither he nor Clarendon was anxious for hostilities; and they may have been mollified when (with the connivance

¹ For the correspondence of Downing with Clarendon see *Lister*, iii, *passim*.

² Setubal, sometimes referred to as St. Eves and St. Ubas, is 10 miles south-east of Lisbon. It was the source of a specially fine salt.

³ *Court Minutes of the East India Company* (ed. E. B. Sainsbury, with introductions by Sir W. Foster), 1660-3, xl.

of De Witt) Downing was able to arrest the regicides Okey, Barkstead, and Corbet, and send them over to England for execution (April 1662). At the same time, De Witt scored a diplomatic feat—an alliance¹ with France, signed April 17/27, 1662, whereby each promised to aid the other in a European war, provided the other was not an aggressor. Here was the reply to English talk of expelling the Dutch herring fleets from British waters; since, with France as an active ally, Holland had little to fear from English threats. The addition of England herself to the list of De Witt's friends might well have seemed to remove the last obstacle to Dutch penetration. By the treaty of Westminster, September 4/14, 1662, the two nations bound themselves to aid each other against their rebels; the Dutch undertook to strike flags and lower top-sails on meeting an English man-of-war in British seas; and they promised once more to restore Pularoon to any one bringing a commission from Charles under the Great Seal. The European trade of each was to be open to the other. January 10/20, 1659, was agreed upon as the limiting date for claims arising from damage sustained in the Indies, the acceptance of Pularoon being taken as a cancellation of all claims prior to that date; for claims arising from damage in any other part of the world, March 4, 1654 was taken as the limit. Disputes of later date were to be submitted to commissioners, with the exception that claimants in respect of the ships *Bona Ventura* and *Bona Esperanza* were to proceed in their suits.² Thus the settlement of Anglo-Dutch disputes was merely postponed.

These consecutive alliances with Portuguese, French, and English were triumphs for Dutch diplomacy; for thereby the natural enemies of Holland had (diplomatically at least) been transformed into the firmest friends of the Republic. The Dutch had obtained official admission into the Portuguese empire; they had secured in Louis XIV a powerful ally, pledged to come to their support if attacked in European waters, and they appeared to have momentarily pacified England by again promising to surrender Pularoon, and by referring to commissioners the more recent cases of dispute. Of their new friends, Portugal

¹ *Dumont*, vi, pt. ii. 422.

² For a full account of this litigation see Feiling, *British Foreign Policy*, 108-11

had been generous of privileges, some of which had already been granted to England; England still remembered Amboyna and, though unprepared for war, was committed to a policy which, if successful, must undermine the basis of Dutch prosperity. Most dubious of De Witt's associates was the French king. As the Catholic lion of the world he was genuinely anxious that the heretic dogs England and Holland should weaken themselves by conflict; but, if he had to choose between them, he would prefer the English dog, because it had a pedigree, and might be more easily adapted to serve the lion's purposes than the continental animal. The lion was now committed to assist the Dutch dog, but was not sure that faith need be kept with such a creature; and even if he had to join in the fray, he could do so in such a way as not to assist his ally overmuch. Behind this diplomatic smoke-screen, the only substantial things were the wealth, the energy, and the organization of the Dutch navies and mercantile marine; they were the only European forces ready for naval war.

Even thus, it might have been possible to avoid war if the terms of the Anglo-Dutch treaty had been possible of fulfilment, but many of the disputes arising from seizures of ships and cargoes were really incapable of satisfactory solution. Thus the two ships *Bona Ventura* and *Bona Esperanza* had been seized¹ as long ago as 1643 when the two nations were at peace. While sir Paul Pindar, an assignee of the owners, was suing the Dutch East India Company for damages, Courteen, heir of one of the owners, agreed in 1649 to compromise the suit by accepting 850,000 guilders. Meanwhile Pindar's suit was pressed by his heirs, and even the arbitration of the Swiss cantons failed to effect a settlement. The longer the case lasted the more complicated it became, and as the original parties died off, a series of young and vigorous heirs joined the fray. The Anglo-Dutch treaty had declared that the *lis incoepta* was to proceed; presumably the *lis incoepta* was this suit between private parties, but Downing was explicitly informed that this was not the English interpretation; the phrase, he was told, meant the dispute between him, as English envoy, and the States General.²

¹ On a voyage from Goa to China. Several of the crews were killed.

² Additional Instructions to Downing (n.d.) in *S.P. For. (Holland)*, 219.

Thus these almost legendary ships sailed out of the seas of litigation into the shoals of diplomacy, where they were soon joined by the *Hopewell* and the *Leopard*, driven from the Malabar coast. Other complaints were raised into affairs of state. The East India Company had a bill for damages amounting to more than £200,000; the Turkey Company claimed to be unsatisfied creditors for about half that amount; these, with the claims of private merchants, brought the total up to about £700,000. The loss sustained by the withholding of Pularoon was estimated at more than four millions.¹ As early as 1661 the Council of Trade had recommended the East India Company to the king's special protection, since otherwise their stock of £800,000 would be lost,² and it soon became obvious that royal charters granted to trading companies were valueless if the state could not guarantee exercise of the rights conceded. Opinion was hardened by the fact that not only did the Dutch fail to restore Pularoon, but in 1664 they devastated it so thoroughly that, if it had to be given up, the plantation would be valueless for many years.³

In the earlier months of 1664 the English clothiers added their complaints to the swollen burden of protests against the Dutch, and on April 22 both Houses of Parliament called upon Charles to provide redress.⁴ A start had already been made. On March 12, 1664, a patent was issued to the duke of York granting to him and his heirs the strip of land enclosing the Hudson river, known as the New Netherlands. This act was not one of impulse. For long, the English inhabitants of Long Island had complained of damage done to them and English interests by the Dutch, complaints investigated by a special committee of Council which included sir John Berkeley, sir George Carteret, and William Coventry, the duke of York's secretary. In consequence, it was determined to seize the New Netherlands. Equipped with a royal charter and a grant of £4,000 for the expenses of conquest, James conceded the district between the Hudson and the Delaware to Carteret and Berkeley. An expedition under captain Nicholls captured New Amsterdam in August

¹ *L.J.* xi. 599; *H.M.C. Rep.* vii, app. 176; *Court Minutes of the East India Company, 1664-7*, v. sqq.

² Khan, *op. cit.* 108.

³ *Court Minutes, 1664-7*, v. and ix.

⁴ *C.J.* viii. 548, and *L.J.* xi. 600.

1664, in spite of a firm stand made by the governor, Stuyvesant.¹ This act has been condemned as a flagrant violation of international morality, since war had not yet been declared; but on the other hand it should be recalled that outside of Europe the two nations had for some months been in a state of virtual warfare.

There was activity also on the west coast of Africa. Early in 1664 captain Robert Holmes seized Goree, one of the most important centres of the Dutch West India Company, and followed this by the capture of several stations from which the English had already been expelled, including Cape Coast Castle, Anta, Anambo, and Adia.² By this time it was obvious that European hostilities were imminent, and it was therefore assumed that both nations would retain their battle-fleets in home waters. Knowing this assumption, De Witt secretly ordered De Ruyter from the Mediterranean to African waters, and in October 1664 the great Dutch admiral recaptured Goree and expelled the English from their forts, delivering their stores and munitions to the agents of the Dutch Company.³ One fort only was left—that of Cape Corse, which De Ruyter left alone because of its strong position. The English had indeed, as Pepys expressed it, been 'beaten to dirt at Guinny'.⁴ The secrecy with which De Ruyter's expedition had been planned and the effectiveness of its achievement startled even the Dutch; for De Witt had not taken all the Provinces into his confidence, and he had caused irritation by his attempted concealment of the design from the Orange party in Zeeland.⁵ Thus, by swift action, De Witt replied to the challenge already thrown down by the English capture of the New Netherlands, and so committed the heterogeneous Dutch Provinces to a war for which they were not unprepared, but on which they were not all anxious to embark. The Dutch polity was such that it prospered best by neutrality in the warfare of other nations; but they were now called on to vindicate their commercial supremacy by force of arms.

¹ For details see Prof. Schoolcraft's article in *E.H.R.* xxii. 674.

² Early in July 1664 the Dutch West India Company made its complaint to the States General of the loss of these places. *Colenbrander*, i. 130.

³ G. F. Zook, *The Company of Royal Adventurers trading into Africa*, 61.

⁴ Pepys, Dec. 22, 1664, quoted by Zook, *op. cit.* 61.

⁵ *Colenbrander*, i. 147.

VII

THE FIGHTING SERVICES

NEITHER the merchants who pressed for war nor the government which embarked upon it were fully informed of the preparedness of England. The Fighting Services consisted of three forces—the Militia, the Standing Army, and the Navy. Of these, the first two were of almost negligible strength, while the last abounded in good material, but was not yet adequately organized for the strain of contest with a great maritime power. The wonder is not that England fared so badly in her contests with the Dutch, but that, in spite of mismanagement and enforced economy, she fared so well.

By the Act¹ of 1661 the Cavalier Parliament vested supreme control of the Militia and all the armed forces in the crown, and so abandoned a safeguard which had been fought for in the Puritan Rebellion. The state of the military forces at the Restoration suggests that the sacrifice may not have been a great one. By his commissions of lieutenancy the king authorized select members of the landed gentry to charge all persons having a minimum property qualification with the supply and equipment of horsemen and foot-soldiers. Once a year was held the General Muster of the regiments of Militia, a county function lasting four days; training and exercise were conducted four times a year, on each occasion for not more than two days. The Acts of 1662–3 and 1663² prescribed the standard rates of pay—2*s.* 6*d.* per day for a trooper and 1*s.* for a foot-soldier—and the regulation arms; namely, for horsemen, a back, breast, and pot; for footmen, a musket having a barrel at least 3 feet long, a sword and a ‘collar of bandeleers’; for pikemen, a pike of ash not less than 16 feet long, with back, breast, headpiece, and sword. By statute also the king was empowered to raise by Assessment funds for the maintenance of the Militia; but no statute gave him power to transport these subjects out of the kingdom, as the Militia constituted the old territorial army for home defence.

¹ *Supra*, 198.

² 13–14 Car. II, cap. iii, and 15 Car. II, cap. iv.

Additional instructions were provided for the lords lieutenant by the privy council at moments when, as in the winter of 1661-2, there seemed danger of disturbance from Dissenters or Republicans; or when, as in the Dutch Wars, there was the possibility of an enemy landing. Thus the instructions sent on the 2nd of August 1662 to lord Herbert of Ragland (lord lieutenant of Gloucestershire) ordered him to divide his effectives so that one-twentieth part of the Foot might always be on duty, except in time of harvest and in mid-winter; and so that no man would serve in all more than fourteen days in the year. A portion of the Militia was to be placed in walled towns, for there the Dissenters abounded; the Horse were to be kept ready for dispersing conventicles.¹ Other miscellaneous duties imposed on these functionaries were those of providing pick-axes and spades for land forts, and drawing off the cattle from Romney and Pevensey marshes.² When the Militia was called out in the summer of 1666 they were concentrated on three points, Maidenhead, St. Albans, and Northampton;³ and in the course of the Second Dutch War they proved of some service as coast-watchers and trench-diggers.

The men thus mustered were the only troops in the country having a full parliamentary sanction. But they did not, when under arms, sacrifice any of their legal rights as civilians; and in practice the Militia was important not as a military body, but as one of the institutions of local government, for at times it exercised police functions; while at elections, both lord lieutenant and his numerous deputies were concerned mainly with the tactics of the polling booth.⁴ Its inadequacy was most clearly demonstrated at the Sedgemoor campaign, when many of the companies showed sympathy with the rebels, a fact which provided James II with at least an excuse for a professional army. Almost equally ineffective, but much more provocative, was the standing army,⁵ composed in Charles's reign of a few

¹ *Carte MS.* 130, f. 281.

² *P.C. Reg.* 59, July 3 and July 4, 1666.

³ *Ibid.*, June 30.

⁴ For this see *infra*, ii. 474-6.

⁵ There is a good account of the standing army in this period in C. Walton, *History of the British Standing Army*. For the Coldstream Guards see G. Davies, *The early history of the Coldstream Guards*. Also, G. C. A. Arthur, *The story of the Household Cavalry*; F. W. Hamilton, *The origin and history of the First or*

regiments of Guards. These included the Foot and Life Guards recruited at the Restoration from regiments which had served the king in exile, and the Coldstream Guards, made up from Monck's regiments. The Royal Horse Guards, or Blues, were established after the suppression of Venner's rebellion; there were also the Royal Scots, consisting of Scots in French service who returned to France in 1662, and were recalled in 1678; and, after 1683, there was the Tangier regiment, the 'lambs' of captain Kirke, who came to England as the Second or Queen's Regiment of Foot, and were pitted against Monmouth's peasants in 1685. The Cavalry regiments raised for Tangier were later merged with the First Royal Dragoons; a second regiment of Dragoons, the Scots Greys, was formed in 1681. These regiments, with the Ycomen of the Guard, composed the bulk of Charles's standing army; and the total number of effectives, including garrison troops, did not usually exceed 7,000 men; but their number was at times increased, notably in the Third Dutch War, and in 1678, when the Commons urged a war against France. Of the volunteer companies the most notable was the Honourable Artillery Company, formed in 1537.

The Navy calls for more detailed notice. Reference must first be made to institutions which, directly or indirectly, served the maritime interests of England. Among these were the great trading companies, notably the East India Company,¹ the Newfoundland Fisheries² and the fleets of Newcastle colliers, all of which provided training in seamanship, and so made available a skilled personnel for the fighting-ships; indeed, without her mercantile marine England as a naval power would have been negligible. At least one of these institutions, the East India Company, maintained (at Poplar) an almshouse for its old seamen.³ At Deptford three almshouses were established by Trinity House, a corporation founded in the reign of Henry VIII. In these retreats were housed old and indigent masters of ships or their widows, to each of whom was allotted a pension, with firing and gowns. Shipwrecked mariners, and 'sick and decayed

Grenadier Guards; J. C. Leask and H. M. McCance, *The regimental records of the Royal Scots*.

¹ For the East India Company see *supra*, 227-9, and *infra*, ii. 661-3.

² See *infra*, ii. 668-9.

³ *Rawl. MS. A. 183 a, f. 180.*

seamen' were also among the recipients of this charity;¹ and for those seamen or their widows who were able to work, oakum was supplied for picking, at the rate of one shilling per hundred-weight.² But charity was only a small part of the activities of Trinity House. Its main duties were to assess rates for pilotage, to appoint fitting pilots, to maintain a number of lights on the coast, and to superintend the placing of buoys and beacons in channels and estuaries.³ Unfortunately, its control in these matters was not complete; for several lights were leased out to private persons, who found the lighthouse a good speculation, and were tempted to economize in the wood or coal fires which then supplied the illumination. Thus in 1662 a patent of light-houses on the North and South Foreland was granted⁴ to sir J. Meldrum, who was authorized to collect one shilling on each ton of regular shipping passing the lights, and two pence on foreign ships, the money to be collected at the first port of call. As the lease was for 50 years at £20 per annum, it is clear that sir J. Meldrum enjoyed the favour of the Court. In November 1666 Meldrum's lights were so dim that several ships were endangered, and others had to remain hove-to all night.⁵

With such an imperfectly organized system of lights, coast-wise sailing at night must have been a trying ordeal. In the daytime a course might be set by taking a bearing from some well-known landmarks, such as church spires, landmarks made inviolate by a sixteenth-century statute;⁶ or shoals might be avoided by altering course when such a mark came into sight, for which purpose the ship's boy was sent aloft to keep a lookout. This was how sir William Petty, ancestor of the Lansdowne family, began his service at sea. He was sent up the rigging to give notice of a steeple which indicated a shoal; but as he was

¹ *Ibid.*, f. 209. A fourth almshouse for 18 pensioners appears to have been erected by 1681.

² *H.M.C. Rep.* viii, app., pt. i. 250. *MSS. of Trinity House.*

³ *Rawl. MS. A.* 185, f. 74.

⁴ *Steele*, i. 3360.

⁵ *Cal. S.P. Dom.*, 1666-7, 104-5. An abstract of all the crown grants of lighthouses may be seen in *Rawl. MS. A.* 171, f. 22, Sept. 12, 1688. These included three lights at Winterton and two at Orfordness (three being candle lights); the Harwich Fire Lights, and the Spurn Fire Light. The last had been granted to Justinian Angel and his heirs for ever at a rent of £5 per annum.

⁶ 8 Eliz., cap. xiii.

very short-sighted, the captain saw the steeple before the boy, and just missed disaster; so Petty's maritime career had a painful ending at this point.¹ As the chronometer had not yet been invented, there was no method of determining the longitude with precision, hence the reckoning had to be made with instruments which to-day would be considered primitive; and in days before the patent log, sailors sometimes calculated rate of progress by walking aft at such a speed as to keep pace with some light object thrown overboard.²

There was also the difficulty that charts were not always accurate, and passengers might sometimes dispute their interpretation with the navigator.³ That some latitude of opinion was possible may be inferred by reference to one of the sailing directions then in use. Thus for the Thames estuary, where there are numerous sand-banks, this was the direction for distinguishing between the Kentish Knock and the Long Sand:

When you are near the Knock, you shall see the land of the North Foreland very plain; but when you are at the Long Sand head, you will hardly see the land, except it be very clear weather or you go up the shrouds.⁴

Even the names of these shoals and channels were supposed to suggest something of their danger; for there were the Black Deepes and the Shivering Sands; there was the Shipwash 'which has washed many a ship away', and the Galloper 'because ships gallop away from it'. No study of the Anglo-Dutch naval hostilities can have any meaning without reference to these shoals on the chart or the map.⁵ The charts then in use were commonly called 'Dutch Waggoners', from their compiler the Dutch geographer Wagenaar; but in 1671 a proclamation⁶ ordered that, in their stead, there should be used the charts compiled by John Seller, the hydrographer-in-ordinary, which together

¹ *Aubrey*, ii. 146. Although he did not again serve at sea, Petty was interested in things maritime and invented a double-bottomed ship. See *infra*.

² *Pepys' Naval Minutes* (N.R.S. ed. Tanner), 159.

³ For an example see the incident recorded in *Journals and Correspondence of S. Pepys* (ed. J. Smith), ii. 39.

⁴ J. Seller, *Description of the sands, shoals, buoys, beacons, roads, channels and sea marks on the coast of England* (n.d.), in *Bodley*, B. 3, 15 Art.

⁵ The approximate position of some of these is shown on the map opposite p. 388.

⁶ *Steele*, i. 3543.

with unofficial *Plats*¹ and *Descriptions*, provided the mariner with sailing directions. Sometimes survey work was entrusted to the captains of His Majesty's ships, and a diary² kept by Sandwich in 1661-2 shows the minute records kept by the more efficient naval officers; moreover it is not without interest that before the Revolution extensive soundings had been made and recorded of the Straits of Gibraltar.³

From those seafaring men who plied their dangerous and generally thankless occupation in the coasting and deep-sea trades the Navy derived its sailors and sometimes its officers; it therefore had good human material on which to draw. Organization presented a more difficult problem. At the Restoration, the existing Admiralty and Navy Commissioners were temporarily retained in office; and that there was no drastic breach with the past is shown by the retention of such old parliamentarian officials as Penn, Batten and the members of the Pett family, who now worked harmoniously with Royalists such as sir R. Slingsbie, sir George Carteret, and lord Berkeley of Stratton. With the possible exception of Berkeley, who was a soldier, all these men had special qualifications for the work of naval administration. Thus Penn had rendered good service at sea, though his reputation had suffered from failure to capture San Domingo in 1655; sir William Batten had served as second-in-command to Warwick in 1642 and was now, as surveyor, exercising an office first held by him twenty-two years before. The Pett⁴ family had been building ships since Tudor times. Carteret, commencing his sea service in 1632, had commanded privateers against parliamentarian ships; Slingsbie was also an old royalist seaman. Lastly, there was Pepys, who, though the only civilian and landsman among these experts, had already, in the service of Sandwich, laid the foundations of a knowledge of ships and seamen the most profound in the annals of the British admiralty. This policy of entrusting

¹ e.g. that in *Bodley, Wood*, C. 13.

² In the possession of J. P. R. Lyell, Esq.

³ e.g. sir H. Shere's *Discourse on the currents in the Straits of Gibraltar* (1674-5) in *Bodley MS.*, Smith, 22.

⁴ *Autobiography of Phineas Pett* (*N.R.S.* ed. W. G. Perrin, li), xxi. See also A. W. Johns in *Mariners' Mirror*, xii, no. 4.

control of the Navy mainly to men having some technical qualifications was continued by the later Stuarts.¹

The most notable naval revival at the Restoration was that of the office of lord high admiral, and its exercise by a prince who was both soldier and seaman—the duke of York. His administrative duties included those of rendering to the king, whenever required, an account of the state of the Navy, and of consulting at least once a month with the principal officers of the Navy at their place of meeting, in order to inform himself of their proceedings; he was also nominally responsible for the choice of officers. His judicial functions were exercised by the admiralty court in London and in vice-admirals' courts in the maritime shires, these tribunals having adjudication of prizes of war and salvage of ships, together with authority to prepare indictments at Quarter Sessions for piracy, and to proceed against persons guilty of embezzling naval stores or stealing from wrecked ships. The vice-admirals conducted this jurisdiction with the help of 'discreet persons in the Civil Law dwelling within the circuit of their office . . . or, for want of a civilian, one expert in the Common Law'. A quarterly general session was held in the chief town of each circuit, and there were also general courts of inquiry, convened as occasion required. This judicial prerogative of the lord high admiral was a source of considerable profit.²

The principal officers with whom the lord high admiral had to consult were Carteret (treasurer), Slingsbie (controller), Batten (surveyor), and Pepys (clerk of the acts). These officials acted in conjunction with the Navy commissioners Berkeley,

¹ For naval administration in this period, the most important contributions are those by the late J. R. Tanner, including those in *E.H.R.* xii; his introduction to the *Catalogue of Pepysian MSS. (N.R.S.)*; and his edition of *Pepys's Naval Minutes (N.R.S. lx)*. Extensive use of these sources has been made in this chapter. For a good bibliography see G. E. Mainwaring, *Bibliography of English Naval History* (1929).

² For the duties of the lord high admiral and the prerogative of the admiralty courts see MS. 2874, f. 43 and f. 153 in the Pepysian Library, Cambridge. Also *Stowe MS.*, 327, f. 2, and *Add. MS.* 38861, f. 16. The lord high admiral's badge of office was a whistle (see J. Corbett, in *Mariners' Mirror*, iii, no. 12). For the relations of the lord high admiral to the Navy Board see W. G. Perrin, *ibid.* xii, no. 2, and for his administration generally see E. S. de Beer, *ibid.* xiii, no. 1.

Penn and Peter Pett, a fourth commissioner, William Coventry,¹ being appointed in 1662. Together, these men constituted the Navy Board, or the lord high admiral's advisory council, its powers defined within the terms of the lord high admiral's instructions. It made contracts, paid ships' companies, regulated rates of pay, selected candidates for commissions, and supervised dockyards and naval ship-building. Collectively, the Board was endowed with summary jurisdiction over dockyard employees and over seamen committing riots on shore.² Individually, their duties were these: the treasurer to pay estimates and obtain his funds from the treasury; the controller to keep duplicate accounts and supervise victualling; the surveyor to keep himself informed of the state of ships and dockyards; while the clerk of the acts served as secretary, and kept minutes and records.³

The system had this advantage, that it associated the personal initiative of a lord high admiral such as the duke of York with the competence and energy of men like Pepys. But an important change had to be introduced in the Third Dutch War, when the Test Act obliged James to give up his office. His powers lapsed to the king, who delegated a share of them to a commission which included prince Rupert, Shaftesbury, Osborne, Anglesey, Buckingham, Monmouth, and Lauderdale, a board not distinguished for maritime experience, nor likely to provide an adequate counterpart to the still surviving Navy Board. Of these lords commissioners Pepys was appointed secretary in June 1673. A dualism was thus created; for there was now an Admiralty Board, having supreme executive and military functions, but without technical knowledge, working with a Navy Board, which possessed considerable administrative experience, but little or no executive authority. These two bodies might well have supplemented each other; but in practice they generally overlapped. In spite of his exclusion from office, however, James continued to wield considerable influence until 1679, when the agitation of the Popish Plot caused him to

¹ William Coventry was the duke's private secretary and a friend of Pepys. He was also an effective speaker in the Commons and contributed to the downfall of Clarendon. Unfortunately there is no biography of him.

² 16 Car. II, cap. v.

³ J. R. Tanner, *Introduction to Catalogue of Pepysian MSS.* (N.R.S.), i. 186.

remove himself altogether from naval affairs. The commissions for executing the office of lord high admiral were revoked in 1684, when Charles resumed the office to himself, delegating the duty of inspecting the Navy to his brother; and the years 1679-84, when commissionerships were given to men without naval experience, were years of neglect and decline in the English Navy.¹ In June 1684 Pepys's office of 'secretary for the affairs of the admiralty' was constituted by letters patent. Finally, when James succeeded to the throne he reassumed the office of lord high admiral.

Throughout these years the main difficulty in naval administration was want of money. English legislators, more familiar with crops than ships, showed an imperfect realization of the expense of an adequately maintained fleet, and still more of the enormously increased cost in time of war; nor did the higher officials succeed in taking advantage of periods of peace in order to have the ships ready for emergencies. The ordinary charge of the peace-time Navy at the Restoration was estimated at £400,000 per annum—or one-third of the total revenue which parliament thought necessary for the national services and failed to provide. By 1670 this cost had risen to £500,000.² The first two years of the Second Dutch War (Sept. 1664-Sept. 1666) cost over three millions, this being almost all due to naval expenditure, leaving a deficit of nearly one million,³ in spite of special parliamentary grants. With the coming of peace, the rate of increase of debt was lessened, but there remained a large permanent debt, which was considerably reduced in the reign of James.

This shortage of money had disastrous consequences, especially in the Second Anglo-Dutch War (1665-7). Not only were the seamen unpaid, but supplies had to be bought at prices heightened by as much as 40 per cent. owing to the abnormally low level of government credit.⁴ Bargains had to be sacrificed

¹ For evidence see Pepys, *Memoirs relating to the state of the royal navy of England* (1690). Later edition ed. J. R. Tanner (1906).

² Lord Keeper Bridgeman's *Narrative of the state of public affairs*, Oct. 24, 1670, in *Parl. Hist.* iv. 456.

³ For this see Dr. Shaw's introduction to *Cal. Tr. Bks.*, 1667-8.

⁴ Grey, i. 267.

because there was no ready money; ships had to be kept in commission because the crews could not be paid off, or put out of commission because there was no money for repairs; pressing for seamen became more difficult in proportion as it was realized that semi-starvation and penury were even more likely incidents of naval service than death or wounds. Hence the creditors of the government were often in desperate plight; many of them were sent to prison for debt; and it is probable that, but for the signing of peace (1667), the Stop of the Exchequer (1672) would have come earlier.

The seamen were the chief victims. A system of payment by credit-notes or tickets was introduced in May 1665;¹ but, as there were frequent delays and difficulties in cashing these coupons, a trade in tickets at the expense of the seamen speedily came into existence. Discharged sailors, obliged to find lodgings at some distance from their home, often parted with their tickets (at a considerable discount) to brokers who thronged the dockyard gates; the brokers then sold them to agents, who were able to redeem them at face value in the Navy Office. Sometimes even the tickets were withheld, and discharged men were ordered to other ships without pay. There were long arrears also in the pittance of a few pence per day allowed for hospital maintenance to the sick and wounded, who were landed (sometimes naked) on the beach; and even so late as June 1668 there was still a sum of £290,000 owing for wages of seamen.² Similar distress prevailed among the workmen in the yards, causing a desertion of rope-makers in the summer of 1665; and the conditions at Portsmouth induced a commissioner to declare that, for want of board-wages, men were being turned out of doors by landlords, and forced to perish in the streets more like dogs than men.³ There is evidence that some of the naval carpenters and labourers died of starvation.⁴ In the summer of 1667 a tardy attempt was made to remedy these abuses when the duke of York and twelve others were appointed to receive complaints from seamen and others as to the exactions practised on them,

¹ *C.J.* ix. 49 sqq.

² *Cal. S.P. Dom.*, 1667-8, 443.

³ *Ibid.*, 1664-5, 522.

⁴ *Further Correspondence of S. Pepys* (ed. J. R. Tanner), 171.

⁵ *Cal. S.P. Dom.*, 1667, lx.

a step which may have been a sequel to the discovery that 3,000 English and Scottish seamen were serving in the Dutch fleets, and that others were engaging daily, in spite of the certainty of hanging when captured by their compatriots. A scapegoat for this mismanagement was found in Carteret, who was induced to exchange his office for that of deputy-treasurer of Ireland.

Connected with the financial difficulties was the collapse of the victualling arrangements. At the beginning of the Second Dutch War the entire victualling of the Navy was entrusted to one man, Denis Gauden; but he was unequal to this herculean task, and in October 1665 Pepys as 'the fittest man in England' was appointed Surveyor General of Victualling, an office for which his optimism and energy were the best qualifications. A temporary improvement followed. Gauden continued to supply victuals, but in conjunction with two responsible persons; and, in August 1668 (when £176,000 was owing to him), he undertook to provision the fleet at the rate of 6*d.* per day per man in harbour, and 8*d.* at sea.¹ The Third Dutch War brought a renewal of complaints, intensified by the Stop of the Exchequer, whereby the Navy contractors, sir T. Littleton, Josiah Child, and T. Papillon, were forced to expend large sums of their own money on the necessities of the Fleet. This, however, did not completely justify their provision of bad beer, mouldy bread, and meat from animals which had died natural deaths;² but they may have acted on the supposition, not extinct, that sailors can live on refuse. There was some improvement after the last of the Dutch wars, and in 1678 a new contract was entered into whereby three victuallers supplied provisions on a scale which allowed to each man, *per diem*, 1 gallon of beer, 1 lb. of wheaten biscuit, 2 lb. of salt beef (or bacon and pork as substitutes), one-eighth of a full-sized North Sea cod, 24 inches long, or a sixth part of a haberdine, 22 inches long, or 1 lb. of 'Poor John', with 2 ounces of butter and 4 ounces of salted cheese.³ The victuallers were also to supply an allowance of ready money—9*d.* per man per month in ships of 60 men or under, and 6*d.* in ships carrying more than 60 men; wine in lieu of beer was allowed on ships sailing south of the thirty-ninth

¹ *Cal. S.P. Dom.*, 1667-8, xviii.

² *Ibid.*, 1672-3, viii. sqq.

³ Tanner in *E.H.R.* xiii. 31.

parallel. The contract system was superseded in 1683 by a state victualling department administered by commissioners.¹ Even thus, however, the dietary of the Fleet was not a varied one, and was responsible for the 'calentures' and 'scarbots' nowadays mitigated by daily tots of coarse lime-juice. A seaman who sailed under sir John Harman in 1669-71 on a Mediterranean expedition thus expressed himself:

Our beef and pork is very scant,
I'm sure of weight, one half it want:
Our bread is black, and maggots in it crawl,
That's all the fresh meat we are fed withal.
When we these things to Sir John Harman say,
Our purser mends the matter for a day,
Thinking to make us weary of complaining,
But he upon our bellies still is gaming;
A little rice we get instead of fish,
Which to you well is known, but a poor dish,
Except good spice to put in it you had,
For with a good sauce a deal board is not bad.
Our drink it is but vinegar and water,
Four-shilling beer in England's ten times better,
So that when sailors gets good wine
They think themselves in Heaven for the time.²

From the point of view of the lower deck there was an even more serious cause for complaint than deficiencies of pay or food. This was the system by which most of them were forced to enter naval service. Any man having sea experience might be requisitioned; homeward-bound merchant ships might be stopped at sea, and a proportion of their crews 'imprestred' (i.e. pressed). Certain privileged vessels were, in theory at least, exempted from the press, including colliers, fishing boats, transports, and the barge of the archbishop of Canterbury; but in practice this distinction was not always maintained. Contingents of seamen, sometimes very juvenile,³ were also obtained from Watermen's Hall, which licensed the wherries on the Thames. Constantly were the maritime counties scoured in search of men who by their appearance suggested some association with salt-

¹ Tanner in Introduction to *Pepysian MSS.* (N.R.S.), i. 180.

² J. Baltharpe, *The Straights Voyage, or St. David's Poem* (1671).

³ *Cal. S.P. Dom.*, 1667-8, 364.

water, and the leaving of tickets at their houses left them a choice between service and gaol. Had the press-gangs 'imprestred' only seafaring men, the system might have been less iniquitous; but so great was the shortage of crews during the Dutch Wars, especially that of 1665-7, that farmers and teamsters were sometimes seized, generally after being well plied in an ale-house;¹ and among the victims were men of 50-70 years of age, who as soon as found to be unfit were sent away destitute.² Occasionally a certificate from the churchwardens that a man's wife and children would be left on the parish was tried as a means of securing exemption;³ or men might try to escape by taking refuge in inland towns, such as Oxford, where the college authorities were required to search for fugitives.⁴ As a deterrent, capital punishment was suggested, and a Navy commissioner proposed that gibbets should be erected on the Portsmouth road on which to hang every one in ten deserters.⁵

The result of this shortage was that in the Second Dutch War sixth-rate ships had to be dismantled in order to provide for the larger vessels,⁶ and never did the English Navy have such motley crews as during that war; for several consignments of pressed men were said to be fit only for spreading vermin; some were composed of mere children; many were in rags, others were sick, with the marks of the Plague on them.⁷ An observer noted, after the Four Days Battle of June 1666, that many of the Englishmen seen swimming or floating in the water were dressed in the black Sunday clothes worn by them when captured by the press outside the church door.⁸

There was some improvement in the Third Dutch War, when an attempt was made to secure voluntary enlistment by giving a bounty of six weeks' pay and a certificate to all who joined of their own accord.⁹ But even thus England was at a disadvantage when compared with Holland. Our country was maritime in the sense that she was dependent on her Navy and Mercantile Marine, but not in the sense that Holland was maritime; for every Dutchman had at least seen a ship, and among

¹ *Cal. S.P. Dom.*, 1672-3, ix and 376.

² *Ibid.*, 1664-5, 429.

³ *Ibid.*, 1671-2, viii.

⁴ *Ibid.*, 1665-6, 543.

⁵ *Ibid.*, 1667-8, 207.

⁶ *Cal. Tr. Bks.*, 1672-5, 39, and *Shaftesbury*, vii. 570.

⁷ *Ibid.*, 1664-5, 240.

⁸ *Ibid.*, 1664-5, 192.

⁹ *Colenbrander*, i. 396.

his countrymen there was a great reserve supply of trained men available for active service; whereas the English merchant sailor was not regarded as a national asset at all, and there were at least a million Englishmen who had never even seen the sea. It is true that England had great naval traditions, that her empire necessitated the exercise of sea-power, and that her later Stuart kings were fond of the sea; but, on the other hand, England was by temperament agricultural; her naval forces were only in process of organization, and she was dependent for the humbler personnel of the Fleet on a despised and completely unorganized merchant service. Neither press-gang nor pay-ticket was likely to elicit the best from her seafaring men. The Dutch, it is true, were not ruled by a yachtsman; nor did they insist on rigid social distinctions between their Navy and Merchant Service; but they valued their mercantile sailors, and paid for their services. This is one reason why they were so powerful at sea.

Nevertheless, the history of the Navy under the later Stuarts shows both specialization and progress. First of all, there were the improvements in the building of ships.¹ The Dutch two-deckers carried their lower tier of guns four feet from the water-line; in similar English ships the distance was three feet; consequently, sir Anthony Deane, with other English shipwrights, built an improved type of vessel, carrying its lowest guns four feet above the water, and allowing greater room for stowage. From the French also we learned to make our ships more beamy and more manageable in a sea-way.² A third improvement experimented with was that of sheathing, generally with copper or lead; but this method of preserving the lower part of the hull from corrosion was not generally successful, because of the galvanic action set up. On the whole, English builders maintained their own with the Dutch. The greater depth of water round our coasts enabled us to build ships of deeper draught;

¹ His Majesty's ships were classified according to their gun-power, ranging from 90 to 100 guns for a first-rate to the 14-18 guns of the sixth-rate. In practice it was usual to speak of all ships above fourth-rates, or having more than 50 guns, as capital ships. First-rates such as the *Sovereign*, the *Prince*, and the *Charles* of the Third Dutch War mounted 110 guns, had a tonnage of about 2,000 tons, and crews of nearly 800 men.

² A. W. Laird Clowes, *History of the Royal Navy*, ii. 242.

than the Dutch models, but faster when close-hauled less 'floaty' than their greater 'sharpness' and depth of keel; on the because of when sailing 'large', that is, before the wind, the other hand, the advantage. Hence ours were better adapted for Dutch had in manœuvring, and so the English fleets were more tacking and full in securing the weather-gauge.¹

often successful, the Restoration admirals profited by the experience

In tactics the 'Generals at Sea'; indeed the fighting instructions of Cromwell's duke of York at the opening of the Second Dutch War were based on those issued in 1654.² A distinction was, however, introduced between defence against an attack from windward and against that from leeward; in general also, greater mobility was aimed at. But it is easy to over-estimate the distinctive element in the maritime tactics of the period. the sea-warfare was conditioned by the severe limitations of the Naval-rigged ship. The primary object of a fleet was to sink or square the enemy, by gun-fire, or fire-ships, or by boarding, capturing him on a shoal; and the preliminary considered or by the for the attainment of these primary objects was to requisition the weather-gauge of the enemy—that is, get to windward obtain and retain this tactical advantage throughout. That the of this position was to be striven for is one of the few axioms of seventeenth-century naval tactics; and for these reasons, first, of course the fleet to windward had the initiative, since it could be down on the wind and attack; second, the gunners on the windward ships had a clear view, unimpeded by the smoke enveloping the leeward ships; and third, the advantage of the wind was most obvious in the use of fire-ships, which could be drifted down the wind towards the enemy. These were the most dreaded engines of naval warfare, and their effective use was the most concrete advantage of the weather-gauge.³ On the other hand the windward position had this disadvantage, that, particularly in the earlier type of English ship, the lower tier of guns on the lee side might be under water in a stiff breeze, and so could not be brought into use at all.

¹ *Mr. Shere's answers to some queries of Mr. Pepys regarding ships* (1680), in *Rawl. MS. A. 175*, f. 328.

² *Fighting Instructions (N.R.S.)*, ed. Corbett, 110.

³ For a set of instructions to fire-ships lying on guard at Sheerness see Perrin in *Mariners' Mirror*, x, no. 1.

Once having gained the toss of the weather-gauge there were no clearly defined principles to follow.¹ But the general practice in the later Dutch wars was for each fleet to file past the other, firing into the enemy hulls and rigging; the ships in the van, having fired their volleys, then bore round to take up position behind the rearmost ships so as to repeat the attack. This was continued until the order of battle was broken,² when there was likely to be a general *mêlée* in which the disabled ships might be boarded or burnt by fire-ships. The English were distinguished for the precision with which they kept their line; they did not have roving free-lances, like the younger Tromp; nor were their fleets divided by political differences, such as sometimes interfered with the effectiveness of the Dutch, where there were Orange and De Witt factions. Moreover, having great faith in their gunners, the English placed less reliance on boarding the enemy than did the French. Our gunners found the great Dutch hulls a good target, as the proportion of unseasoned wood in these hulls made them specially vulnerable; in their turn, the English ships presented a smaller and more substantial free-board, and so their masts and rigging were most likely to be aimed at. The Dutch were credited with the occasional use of 'stink-pots' for projection into enemy ships; but these were not frequently utilized, because of the danger to their users.³

Two schools of English tacticians have been distinguished—that of York, Sandwich, and Penn, or the 'formal' school, having faith in rules, and prepared to spend much time in manœuvring for position, and the more 'dashing' school, represented by Monck and Rupert, who were credited with a belief in hard fighting and a willingness to take risks in order to secure an advantage.⁴ The time spent in manœuvring at the battle of Lowestoft (June 1666) and failure to press the advantage of the

¹ *Remarks of sieur Arnoul on the English and Dutch Navies* (1670) in *Colenbrander*, ii. 7-128.

² The expedient of 'breaking the line' has sometimes been acclaimed as a tactical principle, and has been attributed as such to Lawson and De Ruyter. It had already been practised in the First Anglo-Dutch War. J. C. de Jonge, *Geschiedenis van het Nederlandsche Zeewesen* (3rd ed.), ii. 108.

³ *Remarques sur la marine d'Hollande, par le sieur Arnoul* (1670) in *Colenbrander*, ii. 19.

⁴ *Fighting Instructions* (ed. Corbett, *N.R.S.*), 134.

weather-gauge once it had been obtained, served for a time to discredit the 'formal' school, and may account in some measure for the supersession of York and Sandwich by Rupert and Monck. But the difference may have been one of personal temperament rather than of military principle. Manœuvres that were followed by failure have generally been condemned as mistakes so palpable that they can be understood even by the untutored landsman; but the same manœuvres followed by success are often hailed as subtle strokes of strategy, to be understood by the initiated alone.

In combat each man had his allotted place. The captain, standing by the sailing master, gave his orders from the poop. In capital ships the first lieutenant commanded the first battery with the master gunner, the second lieutenant stood by the second battery, and the third lieutenant controlled the forward guns. The captain gave general orders, such as for firing or manœuvring; the sailing master gave the more detailed orders for effecting the manœuvre. Midshipmen stood by the yards and braces ready for the order to go about: they were available also as skeleton crews for prizes. The boatswain stood by the anchors: the carpenter and his crew were down in the bilges ready to execute temporary repairs to the hull; the surgeon with his instruments was generally in the cockpit, accompanied by the chaplain.¹ Fleets fought in three squadrons—the Red, White, and Blue, each generally controlled by an admiral, vice-admiral, and rear-admiral respectively. In theory the White was the van and the Blue the rear; while the greatest strength of ships and guns, with the supreme command, was centred in the Red. Nominally also the White led the attack, the Red seconded and engaged the enemy Admiral, while the Blue followed with supplies and succour for distressed ships. But in practice these distinctions were not preserved. Orders were communicated by a code of signals agreed upon before combat, these including the firing of guns and the hoisting of flags.

The intelligence service was hampered by the bad state of the English roads, and much time might be lost when important information had to be sent by land; moreover, as official orders had to be countersigned by a secretary of state, there might be

¹ *Mémoire sur la marine d'Angleterre* (1672) in *Colenbrander*, ii. 56.

delay if he was not awakened in the night.¹ Equally serious was the fact that in neither of the last two Dutch Wars was there any real unity of command.² In a modern naval war there would be recorded at the Admiralty all the general instructions issued to the fleets; but in the seventeenth century there was no such system. Little harm might have resulted if the commander-in-chief at sea had been left to his own initiative; this was not always so, however, as Charles sometimes sent suggestions which, though not actually orders, were bound to have some influence on the conduct of their recipient.³ On at least one occasion when he sent orders he allowed them to be modified if the admiral thought fit.⁴ On their side the Dutch were influenced, especially in the Second Dutch War, by political dissensions; and their various Admiralties did not always work harmoniously together.

Specialization under the later Stuarts is to be seen more notably in material and personnel. Thus, the Navy was more definitely dissociated from the Mercantile Marine. No one was to fly the Jack without a licence from the lord high admiral; merchant captains were to fly the red ensign only, and were threatened with imprisonment if they used one of the distinctive naval flags.⁵ So too with His Majesty's stores. These were now to be marked with the broad arrow, and all ropes used in the Navy were distinguished by a white strand in order to aid detection if stolen.⁶ Acts of 1664 and 1671 increased the power of the judiciary to punish those who embezzled naval stores;⁷ but pilfering appears to have been inevitable wherever these were concerned, and was never stamped out. Thus, in the yards, if the sawyers left any wood in the pits overnight it would be gone in the morning;⁸ at Woolwich, some tradesmen acted as receivers and thereby acquired considerable estates;⁹ and so in an age when every one, including the moral Pepys, had his perquisites,

¹ For an instance see *infra*, 298-9.

² There is an interesting note on this subject in *Rawl. MS. A.* 195, f. 64.

³ Examples are in *Harleian MS.*, 7006, f. 164 sqq.

⁴ Charles to the duke of York, July 27, 1672, in *Lansdowne MS.* 1236, f. 139.

⁵ Proclamation of Nov. 19, 1661, and Sept. 18, 1674, in *Steele*, i. 3333 and 3599.

⁷ 16 Car. II, cap. v, and 22-3 Car. II, cap. xxxiii.

⁸ *Cal. S.P. Dom.*, 1667-8, 443.

⁶ *Steele*, i. 3333.

⁹ *Ibid.*, 1672-3, 258.

it was not surprising that workmen had generous views of the size of 'chips'. The extent of this wastage was dramatically realized when the Dutch sailed up the Medway; for oak planks could not be found on which to mount the guns¹ (though it was known that they ought to have been in store), and the unsatisfactory substitute of deal planks had to be used.

In matters of personnel the general policy was to make naval service more professional. To this the legislature lent its aid, and the disciplinary code in force during the Commonwealth was embodied in a Statute² passed in 1661 whereby espionage, sedition, mutiny, and embezzling of stores were made statutable offences, and captains at sea were authorized to conduct courts martial. A further distinction from the civilian was introduced when officers serving in His Majesty's ships were exempted from service as constables, surveyors, or churchwardens.³ Of similar consequence was the custom, begun in 1661, whereby one volunteer was to be entered on each ship, to have the pay of a midshipman, and 'to have such kindness as you shall judge fit for a gentleman', together with suitable accommodation, and opportunities for instruction in navigation and seamanship.⁴ This reform, due to the duke of York, was the starting-point in the evolution of the modern naval officer. Technical qualifications were soon to be required of him. In December 1677, after receiving complaints from sir John Narbrough, then serving in the Mediterranean, the king and lords of the Admiralty decided to introduce an examination for the post of sea-lieutenant, a test to be taken after three years' experience at sea.⁵ Four years earlier a step in the same direction had been taken on the personal initiative of the king; for in August 1673 he established in Christ's Hospital a foundation of forty boys, to be known as the Children of the New Royal Foundation, who were to be educated in mathematics and navigation with a view to service in the Fleet.⁶

Even thus the sailor, like the soldier, did not lose his civilian status when in service, and several misdemeanours which would

¹ See *infra*, 311.

² 13 Car. II, cap. ix.

³ Order in Council of Aug. 28, 1663.

⁴ Tedder, *Navy of the Restoration*, 59-60.

⁵ Tanner, in *E.H.R.* xiii. 48 sqq.

⁶ *Cal. Tr. Bks.* iv, 1672-5, 370.

now be tried by courts martial were then cognizable by the justices in Quarter Sessions. Sometimes also a disciplinary case would be referred to the Admiralty for decision, if justice could not be obtained elsewhere; as for example the complaint of purser Trevor against captain Vittels, which was adjudicated by Pepys and Dartmouth in January 1688. The matter arose thus.¹ Trevor, purser of the *Suffolk*, was going ashore at Chatham on Michaelmas Day 1685, when Vittels, captain of the *Britannia*, ordered him to give assistance in securing some ships which had dragged their anchors. Trevor refused, on the ground that he was going ashore on higher authority; he was thereupon assaulted by the captain with a boat-hook. Trevor laid information before a justice, and sought damages at common law, but as a settlement could not be reached, both parties eventually agreed to abide by the decision of Pepys and Dartmouth, the king having ordered Vittels to give satisfaction to the complainant. At the hearing in the Admiralty office, medical certificates and testimonials of character were produced on both sides, and witnesses gave sworn evidence of what each party had said about the other before and after the incident. The two arbiters awarded the purser damages of £50 against the captain.

This case shows that the province of the courts martial was not yet clearly defined. But certain things were invariably referred to these courts; for instance, incompetent handling of one of His Majesty's ships. Pepys records such a trial in 1673 when the pilot of H.M.S. *Fairfax* was tried by a panel of nine captains for running his ship aground in the Thames. The pilot was acquitted.² The same tribunal tried the captain of the *Fairfax*, who was absent from his ship without leave at the time of the grounding; his sentence was the very moderate one of dismissal from his then command.³ In the following year, a similar moderation was shown in the sentence inflicted on captain Haddock, formerly commander of the fire-ship *Ann and Christopher*. Having lost company with his superior officer in the Mediterranean, captain Haddock stayed for several days at Malaga, where he took in some merchantable goods for a

¹ *Rawl. MS. A.* 177. For a similar adjudication in the quarrel between sir John Berry and sir Wm. Booth see *ibid.*, f. 78.

² *Rawl. MS. A.* 181, f. 172.

³ *Ibid.*, f. 174.

commission. He was sentenced to disburse all his profits on the transaction, and to be suspended from his command for six months.¹

The Navy then included a proportion of 'gentlemen' captains; a class not, at that time, easily amenable to discipline. There was a distinction between the discipline imposed on men selected on account of good birth, and that enforced on those not so fortunately endowed; indeed, that gentlemen were the natural leaders of other men was axiomatic in the seventeenth century, and is still a principle of modern armics and navies, with the amendment that some training is now considered necessary to supplement the in-born valour. At that time, the comparative simplicity of naval tactics and the absence of a technical literature of strategy appeared to justify a commander of rank in manœuvring a ship within the limits imposed by the laws of navigation and the competence of a professional sailing master; for while the first of these could not be court-martialled, the second could. Other things helped to confirm the prerogative of the amateur. Monck, when commanding at sea, had often caused laughter² among his ship's company by shouting from the poop such orders as 'Right Wheel', or 'Left Wheel'; but then the great Generals at Sea had had 'a special presence of God with them' which raised them above the trivialities of maritime terminology. After the Restoration, when providential co-operation was again restricted, the case for pedigree was confirmed by the prowess of the duke of York and prince Rupert, who, like Monck, had acquired their training in land service; and so these were the golden days of the 'gentleman' captain. But those, like Pepys, who knew the Navy best, deplored the giving of commissions to titled incompetents, who thus displaced the 'tarpaulings of Wapping and Blackwall, from whence the good commanders of old were all used to be chosen';³ and the diarist kept a sharp look-out in Whitehall for gentlemen captains overstaying their leave.

This dualism between the 'gentleman' captain and the mercantile sailor is as old as the English Navy. Drake, in his circumnavigation of the world, was obliged to order a cessation of

¹ *Add. MS.* 9307, f. 141.

² *Aubrey*, ii. 74.

³ Quoted by Tanner, in *E.H.R.* xiii. 48.

'stomaching between gentlemen and sailors';¹ even to-day, the few men who receive naval commissions from the merchant service or the lower deck have to justify their advancement not only by efficiency but also by tact. The chief sufferers were those qualified officers of the mercantile marine, such as mates, pilots, and sailing masters, who, when pressed into service, might be assigned the quarters of ordinary seamen; while the 'gentleman' captain took over the greater part of the accommodation for his servants, volunteer friends, his barber, or his 'decayed kindred'; claiming 'the steerage for his grandure, the quarter deck for his jarrs and pidgeons, and oft time all abaft the mainmast upon the upper deck'.² Other contemporary accusations against those officers who had not graduated from sea service were that they spent too long in harbour; that they preferred fighting in line and out of gun-shot of the enemy; and that when they were grappled by an enemy ship they did know how to get clear. Both Charles and James were for gentlemen commanders,³ and one reason why the former disliked the Dutch was because so many of them were merchant sailors; but, on the other hand, neither of these kings could complain of the conduct of those of their admirals who had begun as professional seamen; for these included Lawson, Myngs, Harman, Tiddeman, and Berry. In justice also to the lower deck and Mercantile Marine it should be recalled that Drake, Fro-bisher, and Hawkins (none of whom began his service at sea as a 'gentleman' or naval officer) represent that class of seaman which the later Stuarts despised. On the whole, seventeenth-century sailors preferred a 'tarpaulin' captain because, though he might be taciturn, he was not likely to be arrogant; an illustration of this is to be seen in the affection with which sir Christopher Myngs was held by his men. Sandwich was the best of the 'gentlemen' officers, Buckingham the worst. The duke served as a gentleman volunteer under Albemarle in the fight off Lowestoft in June 1666. As the fight waxed hotter Albemarle proclaimed that he would pistol himself rather than surrender; whereupon Buckingham announced that, before such a serious state of

¹ Quoted in *Life and Works of sir H. Mainwaring*, ed. G. E. Mainwaring and W. G. Perrin, ii. 280.

² R. Gibson's *Collections on the Navy*, in *Add. MS.* 11602, f. 27.

³ *Ibid.*, f. 71.

affairs was reached he, with other gentlemen volunteers, would throw the commander-in-chief overboard.¹ Fortunately he did not have to stretch his prerogative so far; but he never went to sea again.²

Whatever dubiety there may have been regarding the comparative merits of these two types of officer, there can be no doubt that over the men, while at sea, a much stricter disciplinary code was enforced, a change due mainly to the duke of York. In 1663 he issued printed instructions to naval commanders, and these were afterwards amplified into a comprehensive code of forty-four articles by the commissioners who later executed his office.³

This code, not unlike a miniature of the modern King's Regulations and Admiralty Instructions, included these rules: divine service was to be conducted twice a day by the whole ship's company according to the liturgy of the Church of England; on appointment, the captain was at once to proceed on board his ship, and send a weekly report while she was fitting out; he was obliged always to be on board his ship during his command. The crew was to be mustered weekly, and were to be discharged by ticket only when absolutely necessary; quarters and duty were to be assigned to each man, and a schedule thereof hung up in the steerage. In conjunction with master and boatswain, the captain was to determine who were to be inferior officers, able seamen, ordinary seamen, grommets, and boys; no merchandise was to be carried; when scizing a prize the hatches were to be spiked up, and tobacco was to be taken in the forecastle only over a tub of water. For the maintenance of these rules the captain was responsible.

There were also orders affecting the crews, a copy of which was hung up in steerage or forecastle; these enjoined the following penalties:

1. For swearing and drunkenness, forfeiture of one day's pay.

¹ Lady Burghclere, *George Villiers, second duke of Buckingham*, 145.

² From trembling at sea when not a gun roared,
And then steal ashore by breaking our word,
With Dammee if ere you'll catch me aboard,
Liberate nos Domine.

The True Protestant's Litany.

³ There is a copy in *Rawl. MS. A. 181*, f. 215.

2. For telling a lie, able-bodied seamen and inferior ratings were to be hoisted on the main-stay, having a broom and shovel tied to their backs, and to remain in this posture for half an hour; while the ship's company cried out 'A liar, A liar'. For ratings above that of able-bodied seamen, forfeiture of one day's pay.
3. For theft, the culprit to be towed ashore, and the amount made good out of his wages.
4. For going ashore without leave, two days' pay.
5. Neglect of watch, one day's pay.
6. Defiling the decks, not more than twelve lashes.

These rules were to be read out to the assembled ship's company once a month, and it may be observed that the penalties were more lenient than those afterwards enforced. It may be noted also that life on board a Stuart warship was much more informal than that of a modern man-of-war. An immoderate number of healths were drunk; on the most trivial pretext, great quantities of ammunition would be expended in salutes. Women friends of the crew were not only allowed on board, but sometimes remained on as passengers until they were disembarked; and when they were at last seen safely over the side, it was to the accompaniment of appeals such as 'Loath to depart', or 'Maids, where are your hearts?', strains dispensed by the ship's band, then known as 'the complete noise'—a technical, not a derogatory term.

Inadequate pay and the absence or uncertainty of a pension contributed to the difficulties experienced in making naval service fully professional. The average rates of pay¹ varied from 50s. per day for a Fleet vice-admiral to 14s. 3d. per month for a grommet, and 9s. 6d. for a boy. The captain of a First Rate had per month £21; of a Sixth Rate, £7; the lieutenant ranged between £4 4s. and £2 16s.; the master, between £7 and £4; the boatswain had slightly less than the lieutenant; gunner, purser, and carpenter had £4; the surgeon £2 10s.; the cook £1 5s.; the able-bodied seaman £1 4s.; and the ordinary seaman 19s. These were the rates in force at the end of the reign of Charles II. An allowance was sometimes made in lieu of prize-money, at the rate of 10s. per ton of enemy ships captured, and £6 13s. 4d. for every piece of ordnance;² these amounts being divided among ship's

¹ *Add. MS.* q307, f. 225.

² *Steele*, i. 3402, Oct. 28, 1664.

companies. No regular provision was at first made for widows or dependants; but in 1665 there was instituted a scheme whereby small payments were made to children and widows of officers, varying in accordance with rank from £15 to £300;¹ and, for the relatives of seamen, from £2 to £10. In 1672 a system was adopted whereby disabled officers who had completed fifteen years' service were given pensions; but these were cut down in 1679, a fit prelude to a period of naval decline.² A system of half-pay for officers not actually engaged in service was initiated in 1674,³ but this does not appear to have extended beyond commanders of First and Second Rates and captains of flag ships. To complete a somewhat haphazard system, deductions were made from naval pay for the provision of a chaplain and barber, and also for the upkeep of Chatham Chest, a fund from which were made payments to sailors in respect of wounds. In 1684 the scale was a life pension of £6 13s. 4d. for the loss of an arm or leg, £13 6s. 8d. for two arms or legs; £4 for loss of an eye, and £5 for a disabled arm. Persons having a lesser disability were viewed by the surgeon acting for the Chest and recommended for an appropriate amount. Pensioners had to call in person or by deputy to receive the money, and as this was impossible for the majority of Scottish and Irish sailors, these men were obliged to compound for the pension—the amount allowed by the Governors of the Chest being a capital sum equal to twice the annual value.⁴

Sporadic attempts were made to deal with the question of the sick and wounded. In 1664 a temporary commission for this purpose was instituted on the model of that of 1653.⁵ Of this new commission Evelyn was the most active spirit, but his activities were impeded by lack of funds. The commissioners appointed for the last of the Dutch wars were ordered to distribute the sick and wounded throughout the few available hospitals, and failing such accommodation, to billet them on private persons. There were then no naval hospitals and the resources of the London institutions were more than taxed during these wars. Some improvement was effected by securing closer co-operation between

¹ *Add. MS.* 9320, f. 28, Sept. 1665.

² *P.C. Reg.* 68, Dec. 21, 1679.

³ *Add. MS.* 9307, f. 96.

⁴ *Ibid.*, f. 198.

⁵ Tanner in *E.H.R.* xii. 64.

the Admiralty and the medical profession by means of the surgeon-general of the Navy, who was required to assist the governor of Surgeons' Hall in the work of procuring suitable surgeons and their mates for service at sea. Inspection of medical chests, visiting the sick and wounded and certifying the nature of the officers' wounds were among the other duties of the surgeon-general.¹ An effort was also made on behalf of those Cinderellas of the service, the chaplains. In the Stuart navies chaplains were sometimes paid at the same rate as seamen; many of them had gone to sea in order to get away from trouble; for almost all of them their position on board ship was ignominious in the extreme.² The chaplain was scarcely recognized as an officer; and when he addressed the ship's company he sometimes did so standing in the steerage, surrounded by lumber, as did Henry Teonge when he preached his first sermon in the *Assistance* (June 1675) to a congregation of sailors and sea-sick women.³ So long as he could not himself ring the bell for service, it was generally left to the commanding officer to decide whether or not there should be any service at all. A slight change for the better was introduced in 1677, when it was ordered that naval chaplains should be such only as had the approval of the bishop of London. It was a slender qualification, but at least it was a start.

Such, in brief, were some of the characteristics of the Restoration Navy. But the fierceness of the European hostilities about to be described should not obscure the world-wide extent of the duties already entrusted to English sailors. Our possessions in the West Indies would have been lost but for the energy and skill of seamen, notably sir John Harman (an old lieutenant of Blake's), who in 1667 decisively defeated the French off Martinique.⁴ It was during the Third Dutch War that St. Helena was finally recaptured from the Dutch.⁵ These events signified the emergence of England as an oceanic power. To this period also may be assigned the rapid development of English sea-power in the Mediterranean, enhanced by the acquisition of Tangier. An illustration of the use

¹ *Rawl. MS. A. 171*, f. 208.

² Memo addressed to Pepys regarding naval chaplains (undated), in *Rawl. MS. A. 171*, f. 1.

³ *Diary of Henry Teonge*, 9.

⁴ See *infra*, 307-8.

⁵ See *infra*, ii. 663.

of this power was seen in 1678 when sir John Narbrough's fleet was able to keep immobilized the French admiral Duquesne, a pressure which led directly to Louis XIV's evacuation of Sicily.¹ In general, however, Tangier did not serve any very definite naval purpose; it was a bad harbour and was not a frequent resort of His Majesty's ships. But there was a base of operations at Port Mahon, where a naval depot was established by the connivance of the governor;² and at Gibraltar a start had already been made, for Charles was given permission to build barracks outside the walls, and store-houses and sheds appear to have been set up for the convenience of English men-of-war visiting the port. 'It is certainly a most convenient port', wrote an English naval agent there, 'whenever His Majesty has a war with any of the governments of Barbary,' adding the story that the Turks had decided not to have a war with the French because of their bomb-boats, nor with the English, because the Spaniards had allowed them the use of Gibraltar.³ It 1683 there was a rumour in Holland that lord Dartmouth had taken possession of the port in virtue of a treaty between England and Spain;⁴ and it is clear that in English official circles great importance was attached to the securing of a foothold on the western outpost of the Mediterranean.⁵ But when in 1686 an attempt was made to extend the scope of this primitive naval base, and to obtain stores and houses within the town, the Spanish government refused to allow any further enlargement on the ground that this would cause difficulty with other powers.⁶ Tangier had already been lost because its maintenance was made a party question; but it had scarcely left our possession before a beginning had been made on the other side of the Straits.

It was against the corsairs of Barbary, Tripoli, and Algiers that

¹ J. S. Corbett, *England in the Mediterranean*, ii. 103.

² *Cal. S.P. Dom.*, 1671, xxviii.

³ *S.P. For. (Spain)*, 72, letter of Wm. Soanes to lord Lansdowne, Gibraltar, March 12/22, 1686.

⁴ *H.M.C. Rep.* vii, app. 293, lord Preston to Jenkins, Nov. 3/13, 1683.

⁵ Cf. Pepys's memorial touching Gibraltar, in *Rawl. MS. A.* 266, f. 105, Feb. 14, 1685/6.

⁶ *S.P. For. (Spain)*, 72, Spanish memoir of May 17, 1686. Lord Lansdowne (*ibid.* May 23) thought that the Spanish government gave its refusal because it feared a similar demand from the French.

English naval force in the Mediterranean was mainly directed. The plight of English captives in Algiers, soon to be the concern of war-ships, was at first left to private charity. In February 1662 300 English captives petitioned for the raising of a fund to effect their ransom; to this appeal the response was good, a sum of £4,000 being raised, supplemented by a government grant of £20,000, and a committee was appointed to supervise the redemption of captives.¹ From the funds thus provided the English consul at Algiers was able to secure the release of several English slaves; and considerable sums appear to have been devoted to this object; for example, when an Algerine ship took refuge in Harwich, the five English captives aboard were ransomed by the government at a total cost of £378.² The usual ransom was about £40 per man; and the parish records of England abound in testimony to the charity of the poorest villagers who contributed for these ransoms. Another fund for this purpose was deposited in the Chamber of London; but it proved inadequate, and in March 1684 it contained only about £300.³ The method of redemption by purchase had broken down.

Negotiation was also tried. Treaties were signed in 1662 with the Bassa and Divan of Algiers,⁴ and with the Bassa and People of Tripoli;⁵ a treaty with Algiers concluded by sir T. Allen in October 1664 stipulated that all British subjects then in slavery were to be released, and that henceforth no British subjects were to be enslaved.⁶ But the corsairs soon forgot their commitments, and a change for the worse came in 1671, when a band of Janissaries obtained control of Algiers. Two years earlier the Turkish conquest of Candia had released for other service a band of Salee Rovers; soon these pirates were dictating their terms, prescribing the style of passes to be carried by English merchant ships, and extracting a percentage from the auctions of slaves for the profit of the new government and the upkeep of harbours and mosques. A new period of aggression commenced, and the services of the

¹ *Cal. S.P. Dom.*, 1661-2, 285.

² *Rawl. MS. A.* 139 b, f. 39, n.d., but probably reign of James II.

³ *P.C. Reg.* 70, March 12, 1683/4.

⁴ *Dumont*, vi, pt. ii. 420.

⁵ *Ibid.* vi, pt. iii. 31.

⁶ *Ibid.* 431.

Mediterranean fleet had to be called in. Accordingly, in October 1674 sir John Narbrough was sent out with a squadron which blockaded Tripoli and destroyed several frigates; the blockade forced the Dey to come to terms, which included the release of about 450 English captives and a promise of compensation.¹ No sooner had Narbrough returned to England than the piracies were resumed with fresh vigour. In 1677, therefore, he was again employed in blockading the nests of the sea rovers, and after a vigorous campaign he returned to England in 1679, leaving vice-admiral Herbert to continue the work. In the course of these years many Moors and Turks were captured and sold at Tangier, Majorca, Genoa, and Cadiz.² Only by this policy of reprisals were the evils of piracy and slavery mitigated; and thus the English Navy performed in the Mediterranean the functions of a maritime police.

In conclusion it may be noted that the period of the later Stuarts was one of the most formative in the history of the Navy; for there was steady improvement in administration, and there was accumulated in the hard struggles with the Dutch a great fund of experience for the service of the future. One illustration of this progress is to be seen in the increase of tonnage. Between 1660 and 1673 there were added to the 156 ships in existence at the Restoration a total of 147 vessels, an increase representing more than 60,000 tons, 20,000 men, and 4,000 guns.³ Losses incurred in the Dutch wars were more than made good, and in 1675 Pepys could boast that more ships had been built since 1670 than in any other five years of English history.⁴ But this expansion was not continuous, and was sometimes counterbalanced by periods of retrenchment and severe economy, such as the period commencing early in 1667 and continuing until 1670, and that which, beginning in 1679, lasted until the Revolution. In the reign of James the administration was good, and the Navy was less deeply in debt; but there was a decline in the number of ships from 162 to 143, a diminution of about 5,000 tons.⁵ This was not very serious in itself, but it was part of a dangerous policy of economy at the expense of the greatest fighting service of the

¹ *Cal. S.P. Dom.*, 1675-6, 12.

² *Rawl. MS. A.* 177, f. 164.

³ Tanner in *E.H.R.* xii. 57.

⁴ *Parl. Hist.* iv. 774.

⁵ Tanner in *E.H.R.* xiv. 268

state, and it was not without its influence on the fate of the House of Stuart.

An illustration of this economizing just before the Revolution is provided in a memoir of Pepys preserved in the Pepysian Library.¹ On Tuesday, May 8, 1688, the Navy Board met at Chatham in sir Peter Pett's house to consider what to advise the king regarding the security of his great ships in Chatham harbour. The Board had already suggested that all the fortifications between Sheerness and Upnor should be put in a serviceable condition, that the boom and chain by Upnor Castle should be fixed and made ready, and that all the third- and fourth-rate ships should be manned and victualled (necessitating between six and eight thousand men). These measures the Board considered necessary in view of the fact that the Prince of Orange was fitting out a fleet; but, as James refused to believe that there was any such danger from Holland, and as he thought these measures would entail too much expenditure, the Board had met in order to devise a second-best plan. Accordingly they agreed to recommend the fitting out of guardships and fire-ships, and that the land fortifications should be made serviceable, their main concern being 'to make the charge as easy to the king as might be'. These measures, with the manning of 10 third-rates and 2 fourth-rates at a cost of £30,000 they thought the irreducible minimum. As the king was due to visit the yard on that day, the Board asked Pepys to open the matter to His Majesty.

At 1 p.m. the king arrived with the prince of Denmark and lord Dartmouth. His first act was to proceed on horseback to review 'a foot regiment that was drawn up on the backside of the brick wall'. He then listened to the representations of Pepys. His reply was that he did not think the Dutch had so great a fleet as was reported; however, he would have some new batteries erected and would have the old ones repaired—that being 'the properest and best security to his Navy'. Next day he went so far as to consent to the manning of two third-rates and three fourth-rates 'with the lowest complement of men'. After discourse about lead sheathing and the preservation of timber, James gave directions regarding flags and colours to be used by flag officers, and expressed dissatisfaction at the amount of money spent on healths

¹ *Pepys MS.* 2879, f. 913 sqq.

and salutes. So ended the royal visit. On that evening, Pepys with Deane and Hewer went to visit the ships in Gillingham reach, and then on board the *Britannia*, where the purser regaled them with a bowl of punch and 'a fine, cold treat'. Then they visited Gillingham fort, 'whose condition as to carriages and platforms is better to be silent than to say anything'. Thence they walked home through the woods, so terminating a day in which a sailor-king of England had won his point, that shore fortifications are the best defence of the Fleet.

But the James of this incident was a very different person from the James who, as duke of York, performed such great naval service as to induce Englishmen to take a deeper interest in the Navy and the Sea. The next chapter treats of this more heroic period in the history of himself and of his country.

VIII
THE SECOND ANGLO-DUTCH WAR
1665-7

THOUGH he disliked the Dutch and wished to see the young prince of Orange rule in the place of Pensionary De Witt, Charles was not anxious for war. This is true also of the two senior Restoration statesmen, Clarendon and Southampton, who had the caution of experience; and even the East India Company, though solicitous for the redress of its grievances, was not convinced that this could best be secured by naval contest, because in such a struggle the English might be driven altogether out of the East Indies. At The Hague Downing thought that the Dutch would yield rather than fight; at Versailles Louis XIV, pledged by his Franco-Dutch treaty of 1662, hoped that hostilities would be avoided. The war party in England was led by three of the younger and rising school of politicians—Henry Bennet, Thomas Clifford, and William Coventry, of whom the first two, at the request of Charles, had been admitted to Clarendon's informal committee of parliamentary management.¹ There was also the duke of York, round whom clustered young and ardent men, anxious for the opportunities brought by a national crisis. So far as there was antithesis between the war party and that of Clarendon, the former possessed this advantage for Charles, that it had youth, change, and enterprise on its side.

This party could depend on a House of Commons which contained many men of immature years. Already in April 1664 the Commons had concurred with the Lords in a vote desiring the king to take steps for the protection of English trade against the Dutch.² In his speech at the opening of the fourth session of the Cavalier Parliament (Nov. 24, 1664) Charles, after narrating the events of the summer, disavowed having given a commission to captain Holmes for the seizure of the Dutch fort at Cape Verde, and drew the attention of his auditory to the significance of De

¹ *Clar. Cont.* ii. 208-10.

² *C. J.* viii. 548, April 21, 1664, and *L. J.* xi. 600, April 22.

Ruyter's expedition to Guinea,¹ whereupon both Houses voted their thanks to the king. Thanks were also voted to the city of London for its financial assistance,² and the only doubt remaining was whether the Commons would give a grant sufficient for a war in which they were assuming a considerable degree of initiative. Bennet and Coventry thought that only as much should be asked for as would ensure committal to hostilities, but Clarendon and Southampton rightly concluded that now was the time to take advantage of the bellicose temper of the Commons and so, at the Chancellor's instigation, sir Robert Paston, a Norfolk squire, was prompted to move for a grant of £2,500,000, which he did on the 9th of February 1665.³ To the surprise of the parliamentary managers the vote was carried, the money to be raised by an assessment spread over a period of three years. Even thus, however, England was at a disadvantage as compared with the United Provinces, where Holland experienced more difficulty in refusing than in finding money.⁴ The declaration of war on the States General followed on February 22, 1665.

English preparations had begun in the preceding October. Rupert had at first been ordered to follow De Ruyter to the Guinea coast, but this was countermanded when it was learnt that the Dutch were making preparations for hostilities in European waters; orders were therefore given for the immediate fitting out of forty ships, including the first-rates *Royal Charles* and *Royal James*. As lord high admiral the duke of York supervised the preparations. An embargo was placed on all ships in English waters, except coasting and fishing vessels, East India ships and vessels having a special permit. The justices were instructed to compile lists of seamen in their districts; 1,200 soldiers were ordered to be mobilized for service in the Fleet; a commission was issued for the care of the sick and wounded; accommodation was taken over at St. Bartholomew's and St. Thomas's Hospitals, and encouragement was given to the import of pitch and tar by the removal of customs duties on those commodities when ex-

¹ *L.J.* xi. 624-5.

² For the loan of £100,000 for one and a half years see *Cal. S.P. Dom.*, 1664-5, 43.

³ *Clar. Cont.* ii. 309-10.

⁴ *Colenbrander*, i. 175, May 21, 1665.

ported by Virginia or Maryland.¹ Orders for the auction of goods taken from enemy ships and for the payment of an allowance to Dutch prisoners of war completed the preparations of the duke of York.

On March 23, 1665, he took over command at the Gunfleet, and ordered his flag-officers to meet every morning on board the *Royal Charles*, so that a definite order of battle might be devised; for this war, it was asserted, would be won not merely by the valour for which the Cromwellian Generals at Sea had distinguished themselves, but by adherence to a definite system of tactics.² The ships were said to be better manned than they had been in the First Dutch War; indeed it was a fleet of which the nation might well be proud, for it consisted of 98 men-of-war, including 3 first-rates, 11 second-rates, 15 third-rates, 32 fourth-rates, and 11 fifth-rates with 26 merchantmen, accompanied by fireships and tenders. When, early in May 1665, this armada put to sea, the Red was commanded by the duke, admiral of the fleet, flying the royal standard at the main, with Lawson his vice-admiral and sir William Berkeley his rear-admiral; the White by prince Rupert, vice-admiral of the fleet, flying the union flag, with sir Christopher Myngs his vice-admiral and Robert Sansum his rear-admiral, and the Blue by the earl of Sandwich, with sir George Ayscue his vice-admiral and Thomas Tiddeman his rear-admiral. Early in May this fleet cruised between Scheveningen and Texel within sight of the Dutch ships, which they could not induce to come out; and for some time there was a fear in England that the enemy would avoid a decision in European waters, where the rival fleets were more evenly matched.

Delay on the Dutch side was due to a number of good causes. There was difficulty in obtaining the full quota of men and munitions from each of the states; and the main fleet, when it did have its complement of men, was prevented by contrary winds from joining the Zeeland fleet. De Witt went to and fro among the ships encouraging the sailors with promises of good pay and provision for dependants;³ indeed, during these weeks of tense expectation and postponements it was by the energy and optimism

¹ *Cal. S.P. Dom.*, 1664-5, 113 sqq., Dec. 16, 1664.

² J. S. Clarke, *Life of James II*, i. 405.

³ *Colenbrander*, i. 175.

of the great Pensionary that co-operation and obedience were secured in a composite force which included many Orangists; but even thus, it was feared that the contingents of Zeeland and Frisia were not whole-hearted in enthusiasm for the Republic.¹ The Dutch were at some disadvantage also in this respect, that De Ruyter, their best admiral, was not then in European waters; on the other hand in Obdam (admiral of the fleet), John Evertsen the elder (admiral of the Zeeland squadron and second in command), and Tromp they had naval commanders of exceptional ability and experience. They at last succeeded in mustering 110 war-ships and 10 fireships, most of them having at least 50 guns;² and so in gun-power the enemy had the advantage over the English. In the last fortnight of May 1665 the Hollander was waiting till the wind veered east-south-east or north-east in order to come out.

On Sunday, May 28, the frigates *Bonaventure* and *Sapphire* brought news to the Gunfleet that the Dutch were at sea; this news was followed closely by Downing's letter intimating that Obdam had orders to seek the enemy even into the Thames.³ To obtain more sea room, the English fleet weighed on the morning of Tuesday, May 30, and proceeded in the direction of Southwold Bay; two days later, the look-out on prince Rupert's ship sighted about 100 sail in the offing, whereupon the fleet stood to the south, the wind being then north-east and the Dutch to windward at east-north-east. Thursday afternoon and the whole of Friday were spent in manœuvring for position on courses east and east-by-north of Southwold, the distance between the fleets gradually decreasing, but the Dutch still preserving the weather gage.⁴

By nightfall of Friday, June 2, the fleets were within two leagues of each other, and this sailing contest was illuminated by the accidental firing of a Dutch fireship. That night, when about eight leagues east of Lowestoft, the wind veered to south-west, so

¹ *Colenbrander*, i. 212. Tromp is said to have told the prince of Orange that they would fight better under his auspices, *ibid.* i. 241. Downing was accused of secretly acting against De Witt on behalf of Orange, *ibid.* i. 240.

² *Ibid.* i. 188.

³ Downing to Arlington, May 23/June 2, 1665, in *Colenbrander*, i. 181-3.

⁴ Sandwich, *Journal (N.R.S.)*, lxiv. 221-3.

enabling the duke to obtain the windward position. At 2 a.m. there began some long-range firing which proved more noisy than effective; the dawn of Saturday, June 3, brought 'a fine chasing gale' at south-south-west, and at 4 a.m. when the fleets were approximately eleven or twelve leagues east of Lowestoft, sailing south-east, the Dutch put about; and, as their ships sailed past in a westerly direction close-hauled on the port tack, they poured broadsides into each English ship in succession. Not all the English ships were in line, as some had luffed to get to windward of their companions.¹ Three times the two lines appear to have filed past each other, exchanging shots with each ship in turn; but in spite of desperate efforts, the Dutch failed to get to windward; and by 10 a.m. they and the English were sailing approximately south-east, on the starboard tack,² engaged in a running fight, in which the enemy 'knocked it out with us', sometimes close, sometimes far off. But, with the advantage of the weather gage, the duke steadily bore down on the Hollanders, Rupert and Myngs with the White in the van, and Sandwich with the Blue in the rear; until by 1 p.m. the Dutch line was broken, and a general mêlée ensued, the two flagships *De Eendracht* and *Royal Charles* fighting almost broadside on, while John Evertsen pounded the *Plymouth*, commanded by captain Thomas Allin, who afterwards recorded laconically in his log: 'I presently stood in so near as not to shoot in vain, and plied my gunners very hard for two hours.'³ As guns were silenced, and masts and rigging fell overboard, disabled ships drifted from their places in line; and by the afternoon it became obvious that the Dutch were becoming disorganized by long-range, well-placed shots.

In the dense smoke it was difficult to see what was happening, but the losses on both sides were heavy. The critical moment came when shots fired into her hull ignited the magazine of the Dutch flagship, causing an explosion in which Obdam and about 400 men were killed. By 6 p.m. the Dutch were in flight for their harbours, led by Evertsen the elder and the Zeeland squadron;

¹ Ibid. 224.

² The evidence for this stage of the battle is confusing. See the narrative in *Harleian MS.* 7010, f. 566, printed by Colenbrander, i. 188 sqq., and Sandwich's *Journal*.

³ Allin's log is in *Bodley, Tanner MS.* 206 (no foliation).

and when at 11 p.m. the duke turned in, he left orders that the pursuit should be continued throughout the night. There then occurred an incident typical of Stuart history. The duke had his secretary on board, Henry Brouncker, confidant and gamester, to whom his master showed a fidelity as firm as that of his grandfather to the first duke of Buckingham. Brouncker, convinced that he had had enough fighting, pretended to have come from the duke's cabin with an order to shorten sail. Captain Harman, believing that the order was genuine, took in sail, and at dawn the duke was just in time to see the enemy escaping through the shallows into the Texel.¹

Leaving some fourth-rates as scouts on the Dutch coast the duke returned to the Gunfleet in order to refit. His losses included Lawson, vice-admiral of the Red, who died of wounds, and about 800 officers and men. The Dutch had suffered heavier casualties, namely, four admirals, including Obdam, and about 5,000 officers and men; moreover they had lost 12 men-of-war. Both nations hailed the battle of Lowestoft as a victory, but when the extent of their defeat came to be known, the indignation of the Dutch knew no bounds, and a mob threw John Evertsen into the sea, from which he was rescued in order that he might answer for his conduct to the States General. 'A greater victory never known in the world' was Pepys's comment;² indeed the diarist was so elated that he distributed four shillings among the boys in the street. In his stately prose, Dryden³ thus recorded how the sound of the guns was heard in London:

While these vast floating bodies, on either side, moved against each other in parallel lines, and our countrymen, under the happy conduct of His Royal Highness went breaking by little and little into the line of the enemies; the noise of the cannon from both navies reached our ears about the city, so that all men being alarmed with it, and in a dreadful suspense of the event which we knew was then deciding, everyone went following the sound as his fancy led him; and, leaving the town almost empty, some took towards the Park, some across the River, others down it, all seeking the noise in the depth of silence.

¹ J. S. Clarke, *Original Memoirs of James II.* The account in this source is confirmed by the parliamentary debates of 1667-8; *infra*, 319-20.

² *Pepys*, June 8, 1665.

³ *Essay of dramatic poetry.*

The defeat off Lowestoft helped to strengthen the Orange party in Holland, and imposed an increasing strain on Dutch allegiance to De Witt; moreover it made French assistance more than ever necessary, though Louis XIV was still engaged in a show of mediation. Near at hand also was the menace of a new enemy—the turbulent bishop of Münster, whose agent signed on June 3, 1665, an offensive alliance with England, by which the bishop undertook (in return for a subsidy) to invade Holland, his pretext for intervention being a claim to sovereignty over Borkeloo in Guelderland.¹ This ecclesiastic has the distinction of being the only potentate to receive a subsidy from Charles's government; but the subsidy proved to be a waste of money; for the bishop, an early exponent of mechanical invention in war, though he invaded Dutch territory, achieved as little by his incendiary projectiles as by his military bravado. It was evidence of the failure of English diplomacy that this was our only ally; and moreover even he was soon to be detached, leaving England alone against an increasing number of enemies. In a long contest, initial victory is not always the best guarantee for ultimate success, and so it proved in this war, because England was tempted thenceforth to under-estimate her enemy, while the Dutch redoubled their efforts to regain supremacy at sea. Throughout their recuperation in the late summer of 1665 they were at least able to avoid disaster, while the English lost by their precipitancy.

This was illustrated in the disastrous attack on Bergen. As the king was anxious that neither the duke of York nor prince Rupert should again risk his life in naval combat, supreme command was entrusted to Sandwich, who, with Penn, was ordered to cruise about the Dogger Bank in order to intercept De Ruyter and the rich fleets from the Indies and Smyrna which were taking the homeward voyage by the north of Scotland. The conduct of Sandwich in this command was not judicious. Through the agency of the English envoy at Copenhagen, sir Gilbert Talbot, he was negotiating an arrangement with the king of Denmark whereby the latter, for a half-share in the spoils, was to permit the English fleet to attack the Dutch merchant ships in the neutral port of Bergen, and thereby gain more wealth 'than

¹ For this alliance see C. Brinkmann, 'Charles II and the bishop of Münster', in *E.H.R.* xxi, and Feiling, *British Foreign Policy*, 150-7.

perhaps his crown was worth'.¹ Relying on verbal assurances, Sandwich, late in July 1665, when he was in latitude 58° N., detached Tiddeman with fourteen ships for this enterprise. Tiddeman entered Bergen on July 31, where there ensued a contest between the admiral and the governor, the former in haste to plunder the Dutch ships before the expected arrival of De Ruyter, the latter urging delay until more definite instructions were received from Copenhagen. In the midst of this dispute, Tiddeman's squadron attacked the Dutch ships in harbour (Aug. 2), but the guns of the shore forts were turned on the English ships, and, after suffering more than three hours of bombardment, the English admiral had to retire. He had lost no ships, but 118 of his men were killed, including Sandwich's son.² As the wind was in the south, the English could not use fireships against the Dutch merchantmen; and this retreat from Bergen was disastrous, not only for national prestige, but because it helped to range Denmark against us. Another misfortune was that De Ruyter managed to slip past the English cordon and, sailing by Jutland and Heligoland, came safely to anchor in the Ems,³ to the general rejoicing of the Dutch, whose spirits were further raised when De Witt himself proceeded to sea and escorted home the Bergen merchantmen. At The Hague, Downing found the Dutch 'huffed up to the skies'.⁴

When it seemed clear that the Dutch would not risk another fleet action in the summer of 1665, English efforts were concentrated on the attack on Dutch trade. Putting to sea on August 28, Sandwich succeeded in capturing nine East Indiamen under convoy, the total value of the prizes being estimated at £200,000.⁵ This success was marred by a rash act on the part of one who in the course of a brilliant career had aroused some enmities. Before obtaining permission, and without communication with the lord high admiral, who was then in Yorkshire, where a rising of the Sectaries was feared, Sandwich proceeded to 'break bulk' in the captured cargoes, and to distribute to his flag-officers

¹ Sandwich, *Narrative* in *Colenbrander*, i. 257; F. R. Harris, *Sandwich*, i, ch. viii.

² Tedder, *Navy of the Restoration*, 133-4.

³ He arrived at Delfzyl in July 27/Aug. 6, 1665. P. J. Blok, *Michiel Adriaanz de Ruyter*, 219.

⁴ *Colenbrander*, i. 282.

⁵ *Cal. S.P. Dom.*, 1664-5, 558.

a portion of the spoils. This gave to his enemies Albemarle and sir William Coventry a much appreciated opportunity. The admiral narrowly escaped impeachment, and was sent off to Madrid on a special embassy; not till 1672 did he return to sea service. Such was the dubious ending to the hostilities at sea in the first year of the war. On the whole, fortune had favoured the English, but they had not succeeded in pressing home their initial advantage; nor did their finances permit the maintenance of a vigorous offensive. In September a number of ships were paid off, and others were kept in commission only for convoys. There was also mismanagement. Funds intended for the sick and wounded were diverted; only by pawning goods could money for these sufferers be obtained, and even the patient Evelyn was moved to wrath by the wretched plight of those who had risked all in their country's cause.¹

Plague soon provided a sinister companion for war. There were few years in the seventeenth century in which no deaths from this cause were reported, and in the opinion of some medical writers an epidemic was overdue.² A few cases occurred in November 1664; then followed a hard, black frost, succeeded in 1665 by a hot summer and sultry autumn, prolific in flies and insects; indeed on July 3, 1665, the hardy Pepys noted that the season was a sickly one. Prevalence of 'spotted fever' since 1658, the increase of pleurisy and pneumonia in the winter of 1664-5, and over-indulgence in fruit during the hot summer of 1665—each of these was suggested as a pre-disposing factor in this, the last great epidemic in England. Later writers have cited the insanitary conditions of London and some of the greater towns such as Norwich, where there were populations and odours of oriental density and savour, providing hotbeds for the intensive cultivation of germs. But the Great Plague of 1666, bubonic in character, was brought by the rat and circulated by the flea. In its pneumonic form it was most deadly, and was spread by the breath of infected persons.

The infection is said to have come from the Levant by way of Holland in bales of merchandise.³ It was first noticed in May 1665 when there were 43 deaths from this cause, followed in June

¹ *Cal. S.P. Dom.*, 1664-5, 571. Evelyn to Pepys, Sept. 23, 1665.

² Creighton, *History of Epidemics*, i. 653. ³ N. Hodges, *Loimologia*, 30.

by nearly 600; in July the deaths were counted in thousands, and the epidemic reached its height in September, when there was a recorded total for the month of more than 30,000 deaths. In a population estimated at just under half-a-million nearly 70,000 perished from this cause in the year 1665. After September the pestilence subsided, and for the whole of the succeeding year there do not appear to have been more than about 2,000 fatal cases. The plague spread to the provinces, appearing notably in Norwich, Southampton, Portsmouth, Sunderland, and Newcastle; the comparative immunity of Oxford is difficult of explanation. It was a true *morbus pauperum*, for it visited mainly the poor, very few of the upper classes being affected, and it called forth scenes of sacrifice and heroism in which many of the clergy, doctors, and magistrates distinguished themselves. Sheldon, Albemarle, Craven, and the lord mayor remained in the city; but the Court betook itself to Salisbury and then to Oxford, where parliament met in November. There the courtiers shocked both university and city by an indecency foreign to English standards.¹

As both medical science and public health were in their infancy, little could be done either to cure the sufferers or stay the progress of the disease. In May the College of Physicians was asked by the privy council to send prescriptions, which it did.² These were probably herbal, as were most of the remedies or antidotes suggested; for example, there was the popular prophylactic made of sage, rue, buttercup-root, angelica-root, snake-root, and saffron, infused in malaga; and, for an external ointment, a paste made of bay salt and castile soap.³ Of the medical men who devoted themselves to the care of the plague-stricken one of the most assiduous was Nathaniel Hodges, who safeguarded himself from infection by burning a disinfectant over hot coals in the houses of his patients, and by draughts of sack after the ordeal of a crowded consulting-room. He acted on a definite theory which attributed both health and disease to the 'nitrous spirit' which exhales from the bowels of the earth. By this 'nitro-aerial' substance, diffused through the air by sun and vapour, all plant and animal life was preserved; but its balsamic

¹ For illustrations see *Wood*, ii. 68.

² *H.M.C. Rep.* viii, app., pt. i. 230. *MSS. of the College of Physicians.*

³ *A directory for the poor against plague*, in *Shaftesbury*, iv, no. 140.

quality might, he thought, be corrupted by natural causes, as undue heat or moisture, whereby it degenerated into a 'pestilential miasma', such as may be detected after earthquakes and near the sea-coast. He condemned quacks and apothecaries, their nostrums doing more harm than good; and, as a prophylactic, he recommended the use of oily substances—'to cover over the stomach with a plaister, to guard it against corrosive effluvia'. He also commended diaphoretics, to produce acrid perspiration, and saline substances, to keep the internal ferments from contagion. These last two remedies may have had some efficacy, but not necessarily for the virtues which he attributed to them.¹

As there were no hospitals for the accommodation of the infected, and as the pest-houses were completely inadequate, the victims were isolated in their houses, thereby imposing what was tantamount to a death-sentence on the other inmates of the house. There was not enough lime for use in the churchyards, where the shallow graves were covered with crows and ravens except when the diggers were at work;² and the melancholy of London in the Plague year was deepened by 'the horrible crowd and lamentable moan of the poor seamen, that lie starving in the streets for lack of money'.³ Beyond insisting on isolation, and prohibiting the holding of the great fairs, the government did little, though the usual remedy of a fast-day was invoked;⁴ nor until May 1666 was a definite system of regulations imposed. This code⁵ included these rules:

1. No household goods coming from a place supposed to be infected are to be received in any city, village or hamlet.
2. All public meetings are prohibited where there is suspicion of plague.
3. Fires in movable pans are to be used at all necessary public meetings and disinfectants are to be burnt thereon.
4. No unwholesome food is to be exposed for sale.
5. No swine, dogs, cats or tame pigeons are to be permitted to walk about infected streets.
6. No more ale-houses are to be licensed than are absolutely necessary.

¹ N. Hodges, *Loimologia*, 37-47.

³ *Pepys*, Oct. 7, 1665.

⁵ *Steele*, i. 3461, May 11, 1666.

² *Cal. S.P. Dom.*, 1665-6, 538.

⁴ *Steele*, i. 3426, July 6, 1665.

7. Each city is to provide a place remote from its boundaries where a pest-house, huts or sheds may be erected.
8. Monthly fasts and public prayers on Wednesdays and Fridays are to be strictly observed. Collections are to be made for the relief of the poor in infected places.

These rules had already been supplemented by the regulations based on those issued in the Plague year 1625 and enforced in London by lord mayor and aldermen.¹ Examiners were appointed for each parish who were to find out what houses were infected; such houses were to be shut up, and two watchmen, one by day, the other by night, were to prevent ingress or egress. Women searchers, assisted by surgeons, were ordered to report on evidence of plague on the bodies which they searched. Heads of households, on noticing any botch, pimple, or swelling, or any sudden sickness in members of their families, were to give notice to the examiners; after death or cure these households were placed in quarantine for a month. All these closed houses were marked by a red cross, one foot in length, with the inscription: 'Lord, have mercy upon us.' To the inmates necessities were supplied by the constables. Burials were conducted by night, and the relatives and friends were forbidden to attend.

Such rules help to convey some idea of what the Plague must have meant to the poor of London. Of the visitation there was no chronicler, though our literature was afterwards enriched by Defoe's *Journal*, which compensates for historical inaccuracy by imaginative truth.² More important, this, the last of the greater seventeenth-century epidemics, was followed by increased interest in the science of Public Health. There was reissued Dr. Francis Herring's *Preservatives against the Plague*,³ in which the policy of burying in churches and crowded churchyards was condemned, and the removal of rubbish from ditches in the suburbs was advocated. A further impetus was provided by the statistical observations of captain John Graunt, a Fellow of the Royal Society.⁴ It

¹ Quoted by sir Walter Besant in *London in the time of the Stuarts*, 255-9.

² But see R. Crawford, *Plague and pestilence in literature and art*.

³ First published in 1625.

⁴ It was believed by some contemporaries, including Evelyn, that sir William Petty was the author of this book. Petty's biographer, lord Fitzmaurice, believes that there was joint authorship (*Life of sir William Petty*, 180).

had been customary, since at least as early as 1625, to publish bills of mortality recording burials within the parochial cemeteries of the city, together with a note of the disease accounting for death. As these records were compiled not by doctors but by searchers, many of them persons of limited capacity, the information provided was often unreliable, and rumour took the place of evidence; but even had such statistics been compiled by medical men, they would still have only a limited value, for many diseases were not yet differentiated, and in doubt the favourite cause of death was 'a consumption'. But that they might have a great value was demonstrated by John Graunt (1620-74), who showed¹ how essential are statistics in determining the prevalence and fatality of disease; and in this way he laid the foundations of the scientific study of mortality on which modern life insurance is based. From his observations, he concluded that 7 per cent. of Londoners lived to 70; that the proportion of lunatics was 158 in 229,250; that of 100 births, 36 died before the age of 6, and only one lived to 76; that one person in a thousand died of gout, but that gouty people were mostly long-lived; and, finally, that rickets was becoming the most prevalent disease of the age. The bills of mortality had themselves originated from the disaster of plague; it was due to the epidemic of 1665 and to Graunt's observations that the science of medical statistics was inaugurated.

Plague and financial stringency help to explain why England failed to maintain the success which had followed her entry into the war. There were other factors. Throughout the earlier part of 1665 the attitude of France was uncertain, and Louis had gone so far as to send to England the *célèbre ambassade* composed of three envoys with a mission to secure, if possible, an eleventh-hour reconciliation of English and Dutch.² To some, it seemed that France would not keep faith with her ally, and that Louis would either remain neutral or engage in war only in order to effect the occupation of the Spanish Low Countries; this, at least, appears to have been the opinion of Henry Bennet, created lord Arlington,

¹ *Natural and political observations on the Bills of Mortality*. The sixth edition appeared in 1676.

² For this see J. J. Jusserand, *A French ambassador at the court of Charles II*. See also *infra*, 324.

the English minister now most closely associated with foreign policy. Anxious to form an alliance with Spain, Arlington professed to regard the representations of the *célèbre ambassade* as bluster.¹ Eventually (November, 1665) a preliminary treaty² between England and Spain was signed. It was little more than a commercial convention, but it might one day lead to an offensive and defensive alliance, on the basis of peace between Spain and Portugal. It is true that Spain was unlikely to provide England with effective help; but neither (it was thought) did Louis intend to give any active assistance to the Dutch; so the one alliance seemed to balance the other. French bluff was to be countered by English bluff.

The results of this amateurish diplomacy were seen by the autumn of 1665 when England became completely isolated. Her one ally, the bishop of Münster, was a menace rather than a help, since his conduct threatened to embroil us with the princes of Germany, and his military exploits against the Dutch were incommensurate with even the attenuated subsidy which reached his coffers.³ Neither Sweden nor any of the German states showed a disposition to take up arms against the increasing threat from France, mainly because French diplomacy and French money were being employed to such good purpose; and Spain proved herself powerless to resist French designs in the Spanish Low Countries. In November 1665, when hostilities with France were seen to be imminent, Arlington made an ineffective effort to dispose the Dutch to peace by negotiating with the Orange opposition to De Witt;⁴ and, as the winter of 1665-6 advanced, the futility of English foreign policy was more clearly demonstrated. Attempts to bring in on our side Brandenburg, Mainz, and Neuburg failed because, while all of these powers were willing to see French power lessened, they were equally anxious to spare the Dutch.⁵ The Anglo-Spanish *rapprochement* failed to separate France from Holland, in spite of the common interests of Spain and Holland in the Low Countries; Denmark had been our enemy ever since the Bergen incident; Sweden might have been

¹ V. Barbour, *Arlington*, 84 sqq.

² See *infra*, 324-5.

³ Feiling, *British Foreign Policy*, 155-7.

⁴ With the help of Henry de Coulant, lord of Buat. Barbour, *op. cit.* 90, and Feiling, 195-201.

⁵ Feiling, *op. cit.* 163.

willing to join with England, but would not declare against France; even in Madrid French counsels were once more reinstated, and so the mere threat from France served to negative all Arlington's efforts to procure allies. In January 1666 France and Denmark declared war on England; in April, the bishop of Münster made his peace. 'The subject is too vexatious to discourse any more upon,' wrote Arlington¹ to Temple; 'I am glad the farce is at an end.' By October 1666 the Dutch had as allies France, Denmark, and Brandenburg.²

When naval hostilities were renewed in the summer of 1666 the enemy had a slight superiority in ships and gun-power; they had also the advantage of the services of De Ruyter, and at least the diplomatic benefit of the French alliance. At first it seemed that the French fleet would give active assistance. On April 19 the duc de Beaufort, in command of the French Navy, left Toulon for the purpose of effecting a junction with either the Dutch fleet or the French ships at Brest and La Rochelle;³ but this scheme was changed when it was learned that sir Jeremy Smith, with the Mediterranean squadron of 26 ships, had returned to Plymouth, and that the Dutch would not be able to put to sea until June.⁴ Accordingly, Louis ordered Beaufort to take his fleet into the 'Tagus, lest it might be attacked by the English, and *par une infinité de raisons* it was necessary to conserve the French fleet.⁵ The importance of this change lay in its secret execution, since for some time the English intelligence service believed that Beaufort was hovering off the mouth of the Channel in order to join forces with his ally. In the Four Days' Battle of June 1666 the English suffered heavily for this mistake.

The Dutch in 1666 were therefore a more formidable enemy than they had been in the previous year. In April the young prince of Orange was officially taken under the protection of the State, and an effort was made to safeguard him from Stuart and English influence, measures which served to pacify feeling in Zeeland and to secure more active co-operation between the

¹ *Letters of Arlington to Temple* (1701), 74-7. April 27, 1666.

² *Dumont*, vi, pt. iii, 122.

³ *Instruction au duc de Beaufort*, Feb. 26, 1666, in *Colenbrander*, i, 298.

⁴ *Instructions* of April 30/May 10 in *Colenbrander*, i, 306.

⁵ *Ibid.* i, 307.

Dutch admiralities; indeed the outlook for our enemy was so much more hopeful that the king of England was advised 'to mix some water with his wine'.¹ There were even rumours that, while the Dutch engaged the English, the French would carry out a landing in England or Scotland;² and though the Hollanders were still uneasy regarding French support, they spared no effort to fit out a great fleet, which eventually consisted of 84 warships, 13 frigates and 4 fireships. It was the finest fleet, said De Witt,³ that was ever seen in Dutch harbours, and certainly more united than that of the previous year.

In joint command of the English force of about 80 ships were prince Rupert and the Duke of Albemarle, who were appointed by commission of the duke of York. On May 29, 1666, in obedience to orders sent from London, prince Rupert sailed into the Channel with 20 ships in order to join 10 ships off Plymouth and intercept Beaufort, then supposed to be entering the Channel.⁴ Albemarle, at anchor in the Downs, was doubtful whether to risk his diminished force in a contest, or return to the Gunfleet for reinforcements; but a decision lay in his power, and he appears to have been hopeful of success, handicapped as he was. Setting sail on Thursday, May 31, he came to anchor about 5 leagues south-east of the North Foreland, the wind blowing a fresh gale at south-west.⁵ Next day he stood northwards, and at 6 a.m. Dutch scouts were reported to the north-east. A council of flag-officers which met at 7 a.m. (June 1) on the flagship *Royal Charles* was not unanimous that an engagement should be sought; we had the weather gage, it was true; but such a stiff breeze was blowing that it would not be possible to use the lower tiers of guns. Albemarle, however, to use what may well have been his own expression 'resolved to bear with them', and sent a message to the duke of York, who ordered Coventry to prepare orders for the return of Rupert. Coventry contented himself with sending the signed order to Arlington for his counter-signature; but as

¹ *News letter in Colenbrander*, i. 303.

² *Add. MS.* 32094, f. 75, May 30/June 9, 1666.

³ Blok, *De Ruyter*, 245-6.

⁴ Prince Rupert's narrative in *C.J.* ix. 10 sqq.

⁵ *True narrative of the engagement, published by command*, in *Carte MS.* 222, f. 103.

Arlington was in bed when the missive arrived, and could not be disturbed until next morning, valuable time was lost.¹

By noon of Friday, June 1, the Dutch fleet of 84 sail was seen at anchor off Ostend, the English being then about a league to windward. Keeping out of range of the Dutch van and centre (commanded by Evertsen the elder and De Ruyter respectively), Albemarle bore down on the enemy rear, led by Tromp, then lying to the south-east of the Dutch centre. Tromp at once slipped his cables and stood off on the same tack as his opponents; that is, towards south-east, the wind blowing hard from south-west, and so for several hours Albemarle, followed by his best ships, was sailing on the starboard tack hotly engaged with Tromp before Evertsen or De Ruyter could come into action. It was a bold stroke, and very nearly demoralized the Dutch; but unfortunately the heavier guns on the leeward side of the English ships could not be used, as their ports were awash; while Tromp, standing to leeward, could bring to bear the full force of his starboard broadsides. Moreover, this tack led them both close inshore, and so Albemarle had to go about before engaging again with Tromp.² Accordingly the English rear became the van; and when De Ruyter and Evertsen were able to come into action the re-formed English line was caught between two fires, with the result that several units were surrounded, including the *Swiftsure*, flagship of sir William Berkeley, who fell dead in his cabin after showing a courage rendered reckless by the unjust imputation of faint-heartedness under which his reputation had been clouded. In another of the surrounded ships, the *Henry*, rear-admiral sir John Harman maintained a heroic resistance, though his sails and rigging were on fire. Only his guns were left in action, and he met the Dutch demand to surrender with a broadside which killed the Dutch admiral Cornelius Evertsen (the younger). Tacking twice again, Albemarle tried to break the enemy line, losing the *Swiftsure*, the *Seven Oaks*, and the *Loyal George* in the attempt. At dusk the fleets separated, Albemarle standing west-north-west, and De Ruyter south. The night was spent in mending rigging.

¹ *Clar. Cont.* iii. 72. Clarendon, who was no friend of Arlington's, noted that this unwillingness to disturb his slumbers was 'a tenderness not accustomed to be in the family of a secretary'.

² Blok, *op. cit.*

The fight was renewed on the morning of Saturday, June 2, in a variable wind, each fleet sailing past the other in line and on opposite tacks, until the rearmost ships of each were clear, with about an hour's respite, while the vans put about on the other tack. There were now little more than 40 ships on the English side against nearly 80 Dutch; the wind had fallen somewhat; and when, by skilful manœuvring, Monck gained the weather gage its advantage to him was greater than it had been on the previous day. Attempts by Tromp and other Dutch leaders to pursue independent tactics caused some disorder in the enemy line; but the English commander, anxious to retain the windward position, did not have sufficient ships to risk a spirited onslaught. Three times did the fleets pass each other on opposite tacks; on the third occasion Albemarle, realizing the inadequacy of his forces, continued his course towards the English coast, the disabled ships in the van, and the larger vessels covering the rear. This justifiable retreat was conducted with great skill. The Dutch followed all night, but a calm on the morning of Sunday, June 3, prevented both fleets from making headway. On the afternoon of Sunday (the third day of the fight) Rupert's squadron was sighted returning from its fool's errand in the Channel, and when rejoining the main fleet the pilots took their ships over the Galloper Sands, leaving the *Royal Prince* with sir John Ayscue on board an easy prey to the pursuers, who took Ayscue prisoner and burned his ship. Albemarle then boarded Rupert's flagship, the *Royal James*, and in conjunction with other flag-officers resolved to attack the enemy next morning. On the English side there was now a total of about 58 ships against the Dutch 78.

On the morning of Monday, June 4, the fourth day of the battle, the wind strong from south-west, the two fleets again engaged, both sailing on the starboard tack, the Dutch to windward. At the end of two hours' firing both lines were in confusion, and some of the English ships pierced through the Dutch line to windward. Among these were several of the van led by sir Christopher Myngs, who bore up and engaged the enemy admiral De Liefde, the two fighting broadside on; and as the Dutch ship was dismasted, Myngs attempted to burn her with a fireship. When De Ruyter brought support to the hard-pressed De Liefde, Myngs was in the centre of an inferno; but he con-

tinued to give his orders though part of his throat was blown away and he had to stop the gap with his fingers. A bullet through his neck ended the career of one of the most courageous sailors in the history of the British Navy. Four times the English fleet passed through the Dutch, plying them with broadsides as they passed; but De Ruyter concentrated his fire on the *Royal Charles* and *Royal James*, and with Tromp firing from the other quarter, the mainstay and main topmast of the *Royal James* came 'all by the board', while the rigging of her sister ship was so badly damaged that she could no longer tack. At last the whole English fleet succeeded in running through the gauntlet to the windward position, but by then there was complete disorder, and neither side had enough strength to continue the contest, which had been fought until the ships above water were badly mauled and tattered, and the surviving crews completely exhausted. According to the Dutch account, the English were saved from annihilation by the sudden descent of a fog. At the firing of a gun De Ruyter made off to his coast, leaving the English too weak to attempt pursuit. So ended the Four Days' Battle. For neither side did it secure a decision or even a strategic advantage.¹

Dutch exploits in this contest were sung by Vondel and were commemorated by the striking of a medal. Their losses have been variously estimated from 4 to 7 ships, with 2,000 officers and men killed and wounded. Among these were two admirals. English losses were heavier: namely, admirals Berkeley and Myngs (killed), Ayscue (captured), about 20 ships destroyed or taken, and about 8,000 killed, wounded, and prisoners. In tactics the battle discredited somewhat the more formal plan of adhering rigidly to formation, and confirmed the necessity of breaking the line;² otherwise it proved merely that a larger fleet could inflict more damage on a smaller fleet than that which the larger one sustained, and De Ruyter himself admitted that his opponents might well have won the battle because of the valour and tenacity with which they fought.³ Both sides gave proof of seamanship and

¹ For the sources see *Colenbrander*, i, *passim*; Narrative of the engagement June 8, 1666, in *Add. MS.* 32094, f. 137: the official English account in *Carte MS.* 222; Hans Svendsen's journal in *Colenbrander*, i. 356 sqq.; W. Laird Clowes, *The Royal Navy*, ii. 267-77; A. W. Tedder, *Navy of the Restoration*, 159-65.

² *Colenbrander*, i. 371.

³ Blok, *De Ruyter*, 254.

courage. The French had not come to the aid of their ally, but there had been a rumour of their intention to do so; hence the order which detached Rupert's squadron was given in good faith; indeed the division of the fleet, condemned as it is by naval historians, was explicable on the information available for the English intelligence service. A risk was taken which, in other circumstances, might have been rewarded with success, and it remains true that in warfare there is an element of chance which not even the most scientific strategy can eliminate.

Within a few weeks English superiority in fighting quality was illustrated. Repairs were effected on both sides with such rapidity that by the end of July the Dutch had formed a fleet of over 90 ships, and had again a slight advantage over the English. The two fleets sighted each other off the mouth of the Thames on July 24, 1666, the enemy being to the north-east and to windward, between Orfordness and the North Foreland. Next day sir Thomas Allin approached with the White at the head of a well-kept line, and at 10 a.m. the battle commenced, when Allin attacked the Dutch van led by John Evertsen, forcing it to give way and bear up before the wind. Meanwhile the English centre under Monck and Rupert engaged De Ruyter, while Tromp separated himself from his fellows in a descent on the English rear commanded by sir Jeremy Smith. At 2 p.m. the Dutch van began to give way; but the contest between the centres was more stubbornly contested, and not till 4 p.m. did De Ruyter call in his stragglers and retreat. This retreat was continued during the night of the 25th; but next day the fight between Tromp and Smith was renewed, until the former had to take refuge in flight. As this battle was fought on St. James's Day (July 25, 1666) it is generally referred to as the St. James's Fight. It was indubitably an English victory, the enemy losing about 20 ships and 7,000 killed and wounded including Evertsen the elder (killed); while the English lost only the *Resolution*, several fireships, and a small number of men, reckoned at 500. For some time feeling in Holland was bitter against Tromp, whose independent action had served in effect to divide the fleet.¹

It was now the turn of the Dutch to fear invasion. Hovering

¹ Contemporary accounts in *Colenbrander*, i. 302-53; also W. Laird Clowes, op. cit. ii. 278-82.

off the enemy coast, English scouts obtained intelligence of the existence of valuable stores for the States and East India fleets on the islands of Vlieland and Ter Schelling. At a council held on board the flagship by Albemarle and Rupert it was resolved to attempt a raid on these stores, and for this purpose a body of 900 soldiers and sailors was detached in a squadron of nine ships commanded by sir Robert Holmes. Early on the morning of August 8 this force anchored off the entrance to the Vlie. Meanwhile prince Rupert's pinnace the *Fan Fan*, which had been reconnoitring behind the island, reported the presence of about 150 merchantmen, mostly homeward bound, waiting for an opportunity of making their harbours. As these were protected by only two men-of-war Holmes decided to deal with them first; so he transferred his flag to the *Fan Fan* in Ter Schelling roads, and sent in the *Pembroke* with fireships to attack the merchantmen. The two Dutch warships were first destroyed; then fresh ships were sent in, and soon the vast mercantile fleet was feeding an enormous bonfire, from which only a few units escaped by sailing up a creek. The attackers destroyed but did not plunder; a landing party burned some of the stores on the island next day.¹ With the loss of about a dozen men Holmes inflicted on the Dutch losses valued at a million pounds.

The year 1666 is notable for another great conflagration—the Fire of London. A number of accidents combined to make this a disaster of exceptional magnitude. It occurred in the autumn, when many merchants were gone to the country, and tradesmen were at fairs or were away collecting their rents; it broke out in a street where there were stores of combustible material, such as pitch, tar, and cordage; an east wind blew it towards the centre of the city, and the water-engine at the north end of London Bridge happened at the time to be out of order.² The Fire started in Pudding Lane early on Sunday morning, September 2, and was carried by the wind down Thames Street, where many old buildings were soon alight; within a few hours there was a blaze

¹ Estimates of the number of Dutch merchantmen differ. J. C. de Jonge (*Geschiedenis van het Nederlandsche Zeewesen*, ii. 146–7) gives the number as 114. For a contemporary account by one of the English landing-party see *Navy Miscellany* (N.R.S. lxiii), iii. 23.

² Besant, *London in the time of the Stuarts*, 248.

a mile long devastating Fish Street Hill, Canning Street, Gracechurch Street, Lombard Street, and Cornhill, and extending to Fenchurch Street. In this, the earliest stage, the Royal Exchange and many churches were burned down. By Cheapside, the devastation then spread to Newgate Street, Holborn Bridge, Ludgate Hill, and the Inner Temple, where its course was arrested. The Custom House was destroyed; St. Paul's was a smouldering ruin above ground, and in the cellars beneath St. Faith's church there was great havoc where the Stationers had placed their stores of books. Dr. Taswell, then a Westminster schoolboy, saw the burning of St. Paul's at night, when the illumination was so great that he was able to read from a small pocket edition of Terence; as late as Thursday he found the pavements near the smouldering ruins so hot as to scorch his shoes.¹ The suburbs of the city, namely Strand, Covent Garden, Holborn, and Clerkenwell, all escaped narrowly; but even in remote districts some of the effects were experienced. 'Had you been at Kensington', wrote a resident in that borough, 'you would have thought for five days that it had been Doomsday, from the fire, and cries and howlings of the people. My gardens were covered with ashes of papers, linens and plaster-work blown there by the tempest.'² Half-burnt papers were carried by the wind as far as Eton, and in Oxford people observed that the rays of the sun were tinged with an unusual redness.³

As the season was dry and the wells at their lowest the fire blazed unchecked for several days. The Tower was saved by destroying the neighbouring houses with cannon; similar measures were resorted to in order to prevent a westward spread by the Thames. When after five days the fire was at last quenched, the city was found to consist for the most part of heaps of stones which reminded a north-countryman of his native fells,⁴ and the Thames could be seen from what was once Cheapside. On foot and on horseback the king, accompanied by the dukes of York and Albemarle, made a round of the ruins twice a day, giving

¹ *Autobiography of William Taswell* (Camden Miscellany, ii. 1853), 10-13.

² *Cal. S.P. Dom., Addenda, 1660-70*; anon. to lord Conway, Sept. 8, 1668.

³ Taswell in *op. cit.* 13.

⁴ A. Fleming to his brother, Sept. 6, 1666, in *Fleming MSS., H.M.C. Rep.* xii, app., pt. vii, 41.

directions and assisting the work of salvage. The victims saved what they could, but carts could not be had save at 'inhuman' prices, and many of the homeless were obliged to camp out on Moorfields, where ship's biscuits were served out to them.¹ There was little loss of life directly due to the fire; there was enormous material damage, however, for not only had the greater part of the old medieval London ceased to exist, but large quantities of goods were destroyed. Gresham's College was hastily utilized for an Exchange and Post Office, and the magistrates met in Leadenhall, as the Guildhall had been burnt out. By the 8th of September, when the ruins could at last be surveyed, the government had one more task to perform—that of rebuilding the capital of the kingdom.

After the preliminary investigation, the two surveyors reported that the fire had begun early on the morning of September 2 in the house of a baker, and continued till September 6, consuming 373 acres of the 450 acres within the walls, and 63 acres outside. 89 parish churches and 13,200 houses were certified as destroyed.² So vast was the work of reconstruction that the Navigation Acts had to be relaxed in order to allow the free import of timber.³ The character of the rebuilding was determined by a Statute which sanctioned four kinds of new house,⁴ namely, (1) the least sort fronting by-lanes, (2) those fronting streets and lanes of note, (3) those fronting 'high and principal streets', and (4) mansion houses, not fronting one of the three former ways.⁵ The lord mayor was empowered to declare what were streets and lanes; the houses were required to be built of brick or stone, and the

¹ Of these refugees Dryden wrote:

The most in fields like herded beasts lie down
To dews obnoxious on the grassy floor,
And while their babes in sleep their sorrows drown,
Sad parents watch the remnant of their store.

Annus Mirabilis.

² *H.M.C. Rep.* vii, app. 464. Certificate of Jonas Moore and Ralph Gatrix, surveyors.

³ *Cal. S.P. Dom.*, 1667-8, 295, March 18, 1668.

⁴ 18-19 Car. II, cap. viii. This Act raised money for the rebuilding by an increased Customs levy on coal.

⁵ For illustrations of surviving representatives of these types see W. G. Bell, *The Great Fire of London*.

roofs of the first three sorts were to be uniform; also, the first story of each house was to have a height of ten feet, the smallest sort to have two stories, the next in size three stories, and the next four. Prices of bricks, tiles, and lime were to be set by two judges of the King's Bench; wages were to be declared by the lord mayor and aldermen. The maximum number of new churches was fixed at thirty-nine, and a pillar was ordered to be set up to retain in memory 'for ever' the desolation of September 1666.

It was fortunate that in this enforced rebuilding the city had the services of sir Christopher Wren, who left the stamp of his genius on the new metropolis which gradually took shape. But he did not have a free hand, and some of his schemes were put aside from lack of money; even his plans for St. Paul's were interfered with,¹ and only in the city churches does he appear to have had full scope. The number of buildings attributed to his master-hand has been over-estimated. An attempt, however, was made to build on a definite plan. A court sitting in Clifford's Inn determined boundaries and rents; party walls and piers were set out under the supervision of surveyors, and an attempt was made to adhere to rules probably too minute for enforcement. The level of the ground near Fleet Street was raised by using stone from the ruins of St. Paul's; Holborn Bridge was enlarged; buckets and brass squirts were placed at stations throughout the city; and shops, provided with doors and glass windows, took the place of the old stalls. A duty on coal was allocated to the rebuilding; but even thus the city had to borrow money to pay for the new Guildhall, which was not completed until 1675; seven years earlier the first stone was laid of the first pillar of the new Royal Exchange. The private enterprise of the Livery Companies, which had lost 44 halls, provided a stimulus, for they lost no time in reconstructing, and they built with taste.²

One good result can be attributed to the Fire—that in destroying the old sunless hovels and alleys a sanitary improvement was effected, and to that extent the chances of a recurrence of an epidemic such as that of 1665 were rendered more remote. A second result was that many transferred their homes to what were

¹ W. G. Bell, in *op. cit.* 262.

² *Cal. S.P. Dom.*, 1667-8, xlv. 144; W. G. Bell, *op. cit.* 269-70; Besant, *London in the time of the Stuarts*, 256.

then the suburbs, and with the genesis of a greater London the overcrowding in the city was relieved. A third effect not so salutary may be suggested. The Fire had followed immediately on the Plague, both occurring in a fiercely contested war in which France was ranged with our enemies. Men drew their conclusions from the concurrence of these events. Plague was 'a divine visitation, but the Fire had been contrived by human agency. Men had been seen (so it was afterwards reported) throwing fire-balls into cellars; if these miscreants were not Frenchmen or Dutchmen, they were probably Papists, and in these days commemoration of Guy Fawkes was something more serious than a pleasant annual ritual.¹ A populace which knew the terrors of Plague and Fire fell an easy victim to the Popish Plot.

The stirring events of this, the *Annus Mirabilis* (1666), were not confined to Europe; for Louis XIV, though he showed little inclination to assist the Dutch, proved that he was anxious to attack English power in the West Indies. The island of St. Kitts was the first to experience the menace from this source. The centre was occupied by the English, the French having settlements at both extremities. In April 1666, in spite of assistance from Jamaica, the English settlers were defeated in a pitched battle, and the planters (to the number of about 8,000) were deported to other islands, notably Montserrat and Jamaica. With the help of nearly 1,000 Irish the French now ruled in St. Kitts. This success was speedily followed by another, for in November the French commander La Barre captured Antigua, and compelled its evacuation by the inhabitants. Montserrat was next taken (February 1667), and soon it appeared likely that while England was fighting it out with the Dutch her possessions in the West Indies would change hands. But in April 1667 sir John Harman arrived with a strong force, and with Nevis as his base he inflicted great damage on a combined fleet of French and Dutch in an action fought off the island on May 20. In the following month he decisively defeated the French fleet off Martinique. These were the only naval battles of the war to which the word decisive can be applied, for they saved the West Indies. An

¹ Cf. *Pyrotechnica Loyolana* (1667), with its wood-cuts depicting the Pope and Jesuits as incendiaries.

English detachment then captured Cayenne in Surinam, but efforts to recapture St. Kitts proved fruitless. The French West India Company suffered heavily from the raids of English ships.¹

Meanwhile, by the winter of 1666-7 England had become tired of the war, and the Commons were increasingly anxious about its cost. Peace negotiations were accordingly instituted; lord St. Albans was sent to Paris in January 1667, and the Dutch were invited to come to terms. An understanding with France was first established, Louis undertaking to surrender his West India conquests, provided Charles gave a written promise that on the conclusion of peace he would enter into a close alliance with France; or that, alternatively he would refrain for one year from all alliances contrary to the French interest. On February 12, 1667, Charles signed an engagement of neutrality on the basis of the latter alternative.² There was more difficulty in dealing with De Witt; but at last, in March 1667, Breda was agreed upon as the place for the peace congress. It was known that the Dutch in the spring of 1667 were making active preparations for another campaign;³ but Englishmen were no longer in a mood for warfare, and so the peace negotiations continued.

Charles's advisers now appear to have assumed that peace was assured. They knew that Louis was anxious to detach himself from the Dutch and to secure English neutrality for his designs on Flanders; but none of them appears to have realized that French desertion, so far from making the Dutch more anxious to end the war, might make them more determined to continue it. In this mistaken feeling of security drastic retrenchments in the English Navy were initiated. On May 24 Charles instructed the duke of York to maintain only such a squadron as would distract the enemy and disturb his trade.⁴ In accordance with this order many third-rates and all ships requiring extensive repairs were paid off. Sir William Coventry and Arlington, who had been most forward in precipitating the war, were now the most zealous promoters of economy, Coventry advocating reductions of crews on fireships;⁵ while Arlington, in his instruc-

¹ W. Laird Clowes, *op. cit.* ii. 431-3; La Roncière, *Histoire de la marine française*, v. 465-7; S. L. Mims, *Colbert's West India Policy*, 126-42.

² *Mignet*, ii. 45.

³ *Cal. S.P. Dom.*, 1667, 9, 62-3.

⁴ *Cal. S.P. Dom.*, 1667, 118.

⁵ *Ibid.* 130-1.

tions for the defence of the eastern and southern coasts, adjured the lords lieutenant 'to make the greatest show you can in numbers . . . more especially of horse, even though it be of such as are otherwise wholly unfit; horse being the force that most discourage the enemy from landing'.¹

But if Arlington was showing symptoms of an equine intelligence, the Dutch were still thinking in terms of ships and salt water. In April they had sailed up the Firth of Forth and attacked Burntisland; a month later they had a fleet of over 100 sail ready for a descent.² On May 20/30, 1667, it was secretly resolved by the States General to attempt 'something notable'; and John de Witt induced his admirals to undertake a hazardous attempt on the Thames.³ On the same date (June 7) that Henry Coventry landed at Dover bearing the preliminary articles of peace from Breda, a fleet of 50-60 Dutch ships was sighted off the North Foreland, and at 8 p.m. it was seen to anchor in the Gunfleet.⁴ Realizing at last that something definite was intended, but still guessing where the blow⁵ would fall, the government ordered the Navy commissioners to prepare fireships, and sent a large contingent of Militia to the Isle of Wight. At Bridlington, Plymouth, and Portsmouth there was feverish work on the fortifications, and the anxious inhabitants of Margate were further perplexed by the strange accent of a Scottish regiment quartered in their midst. When at last it was seen that De Witt was planning a blow at the very heart of the nation, sir Edward Spragge was posted with several fireships in the Medway, while Dutch prizes and other vessels were moved further up the river. Ships were also placed at Gillingham for the purpose of defending the chain across the Medway.

On the night of June 7 De Ruyter anchored in the King's Channel; the secret instructions were read, and the final dispositions of a carefully-laid plan were completed. Accurate

¹ Ibid. 145-6.

² Ibid. 116.

³ Blok, *De Ruyter*, 275.

⁴ *Cal. S.P. Dom.*, 1667, 156-7, and Blok, *op. cit.* 277.

⁵ Among the sources for the disaster of the Medway, reference may be made to the contemporary accounts in *Colenbrander*, i. 533-91; *Cal. S.P. Dom.*, Introduction (specially valuable) and *passim* in the documents; W. Laird Clowes, *op. cit.* ii. 288-94; J. C. de Jonge, *Geschiedenis van het Nederlandsche Zeewesen*, ii. 175-205; Blok, *De Ruyter*, 272-85; Tedder, *Navy of the Restoration*.

soundings of the estuary had been made, so that the Dutch pilots knew it as well as their own waters; and the recent attacks on the Firth of Forth and north-east coast by Van Ghent's squadron had helped to conceal from the English the real objective of the main fleet. The enterprise was timed so that advantage could be taken of a spring tide. De Ruyter now divided his fleet, retaining the larger portion by him at the mouth of the Thames as a covering force, and sending Van Ghent with a squadron of 17 warships accompanied by 24 auxiliaries and fireships to the Medway in order to perform there what Holmes the year before had effected in the Vlie. Accompanying Van Ghent was Cornelius De Witt, brother of the Pensionary; it was Cornelius as much as De Ruyter who stirred the Dutch to undertake what seemed to some of their officers an impossible feat.¹ For a few days contrary winds delayed the expedition, and a Dutch landing party in Thanet was beaten off by the Scots; but on Tuesday, June 11, the invaders, having bombarded Sheerness, landed 800 men on the island of Sheppey, and on the morning of Wednesday, June 12, Van Ghent appeared off the Medway.

There was neither time, material, nor organization for adequate defence. Albemarle, who had arrived at Gravesend on Monday, found very few guns mounted there; at Tilbury he discovered the same state of affairs. Next morning he saw the topsails of the Dutch ships in the river; so he hurried on to Chatham, where he found the workmen in the yard in a state of panic. Even boats could not be had, for most of the small craft had been used to take away personal belongings;² nor was there any ammunition, except a small store in the *Monmouth*. A train of ammunition intended for Gravesend had therefore to be diverted to Chatham and arrived there on Wednesday. Defence of the chain was Albemarle's next concern; but here his difficulties began in earnest; for the stores had to be broken into in order to procure tools; and when at last these were obtained, he had to send off a detachment for the defence of Upnor Castle. He had then to deal with the delay and incompetence of commissioner Pett, with whose tardy help he caused ships to be

¹ Blok, *op. cit.* 277.

² Report of sir John Mennes, June 16, 1667, in *Colenbrander*, i. 555.

sunk on each side of the chain, which was eight feet ten inches deep and was held by pulleys.¹ Albemarle's hastily improvised arrangements revealed a state of mismanagement and disorganization unparalleled in our history. For his batteries he was dependent mainly on volunteers; the trouble, however, was not that the gun crews were amateurs, but that for the mountings there were no oak planks to be had (they had been pilfered), with the result that thin deal planking had to be used instead, and at each shot the gun wheels sank through the planks into the ground. In truth the great naval base of Chatham was found to be indefensible against a single ship; the outer defence at Upnor Castle was without ammunition and was a place of entertainment; the powder was mostly too bad to be used. Something of Stuart nonchalance and indifference had penetrated into the greatest of our naval arsenals; and the Dutch, had they had the mind to, might safely have gone as far as London Bridge and from there bombarded the capital.²

The greater part of the English fleet, including the flagships *Royal Charles* and *Royal James*, was then in Chatham dock, all the ships denuded of their crews and in some cases dismantled. The outer defence of the Medway was Sheerness, the guns of which had already been silenced; there remained the inner defence, consisting of Upnor Castle, and the chain stretching across the river at Gillingham reach. On the eve of the Dutch attack (Wednesday, June 12, 1667) the chain was defended by sunken ships and by the guardships *Charles V* and *Mathias*; these with the *Monmouth* were destroyed by the invaders, and a passage was forced through. Upnor Castle was in charge of major Scott, supported by a mixed company of seamen, foot and gunners, with a few guns; while sir Edward Spragge was on the eastern side of the chain. In Chatham dock an entrenchment had been hurriedly made by Albemarle, and 14 guns were placed in position; there were also 10 field-pieces hidden behind hedges on the slope of the hill. Such was the situation of the defence on

¹ *Rawl. MS. A.* 195, f. 128.

² *Carte MS.* 35, f. 478. For contemporary accounts of the conditions at Chatham see *Colenbrander*, i. 548 sqq.; *Cal. S.P. Dom.*, 1667, Introduction and text, *passim*; the duke of Albemarle's narrative of the miscarriages of the war in *C.7.* ix. 10 sqq.

the morning of Thursday, June 13, after a night spent by the Dutch in clearing a passage through what remained of the boom. With the flood tide of Thursday the Dutch again approached the chain, exchanging shots with Upnor Castle and Spragge's batteries; they then sent fireships into the dock, which destroyed the *Royal Oak*, the *Loyal London*, and the *Royal James*. While the fireships were engaged in the harbour completing their work of destruction, Albemarle's guns replied vainly from the shore; and as one helpless ship after another fell a victim to the audacious intruder, his cheers could be heard even in the din of explosions and cracklings. 'Nooit grooter victoria voor Nederland,'¹ shouted a Dutch chaplain, syllables which must have been intelligible to the Englishmen who heard them. Only when they had used up all their fireships did the invaders retire, taking with them the *Royal Charles* and the *Unity*. The most ignominious sight of all was to see the great flagship of the fleet taken away by 'a sorry boat and six men'.²

The enemy carried out this exploit with surprisingly little loss; indeed their estimate is 30 men and 2 fireships, but probably this is an under-estimate.³ English loss of life was not heavy, but of ships and prestige incalculable. Our fleet had been found in a state of almost complete defencelessness; our blockhouses wanted guns, platforms, and ammunition; some of them had bullets too large for their cannon, and a lurid light had revealed embezzlement and mismanagement in our greatest naval dock-yard. But for the defence hastily organized by Albemarle, and ably seconded by train bands, volunteers and a few seamen, the English Navy might well have been completely destroyed. Not unnaturally, there were great rejoicings in Holland. A medal was struck; Antonides van der Goes commemorated the exploit in his *Thames on Fire*, and Vondel once more broke into song.⁴ De Ruyter, Van Ghent, and Cornelius de Witt were the heroes of the hour; to them, the States General presented golden goblets, not for their reward but for the remembrance of posterity.

¹ J. C. de Jonge, op. cit. ii. 196.

² Sir E. Spragge's evidence, in Diary of J. Millward, *Add. MS.* 33413, Oct. 22, 1667.

³ These are the figures given by Blok, op. cit. 283.

⁴ Blok, op. cit. 285.

In England there was a torrent of recrimination. The sale of Dunkirk was recalled, and the trees outside Clarendon's house in Piccadilly ('Dunkirk House') were pulled up by the mob. Spragge was attacked as an Irish papist; naval paymasters had to shoulder the blame for the long arrears of seamen's pay; neither king nor court was spared the abuse of critics. Charles and the duke of York vehemently repudiated responsibility for the policy of laying up the fleet; and to conciliate popular opinion, which could not but contrast this Stuart disgrace with Cromwellian achievement, twelve new regiments of 1,000 men each were raised and placed under the command of old Parliamentarians such as Manchester and Fairfax, while the governorship of Windsor Castle was taken from the noted royalist lord Mordaunt. But this was only adding fuel to the fire, since it raised the suspicion that a standing army was intended. This distrust was reflected in the parliament which met by proclamation on July 25, when the Commons passed a resolution that His Majesty be desired to disband the newly raised troops as soon as the peace was concluded. In reply, Charles protested that he was too much of an Englishman to think of governing by a standing army.¹ Parliament was then prorogued until October 10.

Meanwhile peace² with both France and the United Provinces was signed at Breda on July 21, 1667. The main principle adopted in the treaty was that of surrender of conquests; in this sense the contest had been a drawn one. Its effect, therefore, was that Louis restored the English portion of St. Christopher's, together with Antigua and Montserrat; in exchange, England ceded Acadia to France. This surrender to France of the whole of Acadia took no consideration of the Scottish province of Nova Scotia. The treaty with the Dutch provided that each should refuse refuge to rebels against the other; that free entry should be permitted into each other's ports in stress of weather; and, in spite of the Navigation Acts, the Dutch were granted the privilege of importing into England all merchandise originating in Germany or Holland. For the purposes of the salute at sea, the Dutch succeeded in narrowing the area denoted by 'British Seas' to the English Channel, and a ship was held to enter the

¹ *L.J.* xii. 114, July 25, 1667.

² *Dumont*, vii, pt. i. 40 sqq.

Channel when Scilly bore north-north-west. Except for this, however, the question of the flag was left undetermined.

Most important of the results following from the treaty was the retention of New York and New Jersey by England; of Pularoon and Dutch Guiana by Holland, and of Acadia and French Guiana by France. In West Africa we lost everything except Fort James and Cape Coast Castle. It is clear, therefore, that England had not achieved the objects with which she embarked on war. The East India Company still wanted Pularoon; nothing was said in the treaty about the Company's claim for damages, and the whole question of entry into the East-Indian and West-African trade was left undetermined. In fact the treaty of Breda may be said to have intensified the commercial rivalry between the two nations and to have led directly to the Third and last Dutch War. Within a few months the East India Company was again petitioning the Council against the Dutch policy of debarring the English from direct trade with natives; and the old questions of compensation for damages and entry into the spice trade were soon revived in their wonted intensity. But the Third Dutch War was to be conducted under auspices very different from those which had preluded the Second; for already suspicion of the executive had entered into the minds of the legislature, and the gathering menace from France was to force on Englishmen a realization of the common interests which they shared with the Dutch.

For the humiliation of the Medway and the inconclusive peace a scapegoat was needed: it was provided by the chancellor. Throughout the course of the war he had been steadily losing ground with both king and nation. At Court his austerity was a matter for ridicule, and his tutelage was becoming more and more distasteful to the sovereign; in the Commons was a band of young and ambitious politicians scheming to displace him. To the uncritical multitude he was the villain of the Dunkirk episode and the author of an unpopular war. Most serious of all, he had made no secret of his opinion that the Commons should be kept within rigid bounds, and the House had now taken upon itself to criticize and control the administration which Clarendon regarded as sacrosanct. As a result of these disagreements, he had in 1666 suggested a dissolution of

parliament, in the hope that a more tractable House of Commons would be returned; he was accused also of having said that the Commons were of use only to raise money, and were not fit to meddle with affairs of state.¹ It was not difficult to twist his casual remarks into allegations that he wished to dispense with parliament altogether; moreover, his suggestion at the time of the Medway disaster of an imposition on the maritime counties in order to provide for adequate military defence was easily construed into a design for a standing army. The conclusion of the war left him a solitary target for ammunition which had been accumulating since the Restoration.

The influence of lady Castlemaine confirmed Charles in his determination to be rid of him. When, on August 30, secretary Morrice went to him with a royal demand for the Seals, he complied; but he refused to act on hints that he should leave the country. At the opening of the seventh session on October 10, 1667, both Houses thanked the king for his removal of the chancellor; in reply, Charles gave his assurance that he would never again employ Clarendon in public affairs.² Articles of impeachment were hastily collected, and by November 6 no less than seventeen counts were reported from the committee to which the duty had been delegated. He had, it was alleged, designed a standing army; he had said that the king was a papist; he had obtained money from the grant of patents; he had procured the imprisonment of English subjects in remote islands and garrisons; he had corruptly sold offices; he had farmed the customs at less than their proper rates; he had received bribes from the vintners for enhancing the price of wine; he had advised and effected the sale of Dunkirk; he had, in an arbitrary way, examined divers subjects at the council-table concerning their lands and chattels, and had stopped proceedings at law relative thereto, by order of the Council; he had extorted money by the threats of *quo warranto* against many corporations after their charters had been confirmed by Act of Parliament; he had received great sums for bills of settlement in Ireland; he had deluded and betrayed His Majesty in foreign treaties and had divulged his secret counsels to the enemy; and,

¹ Diary of J. Millward, *Add. MS.* 33413, Oct. 26, 1667.

² *L.J.* xii. 125, Oct. 26, 1667.

lastly, he was the author of the division of the fleet in the late war.¹

With the exception of the count that he had betrayed the king's counsels to his enemies, none of these charges amounted to treason. Many of them were mere hearsay; the accusation that he had called the king a papist was almost common form, and the other allegations, where they were true, merely implied that Clarendon was high-handed and avaricious. There was a strong personal element in the attack, illustrated in the speech made by sir Thomas Osborne, afterwards earl of Danby; a speech thus recorded in the staccato notes of Anchitel Grey:²

The king ready to change his religion—no money remaining—no person in employment but who can buy it—we are upon our last legs—no man ever had more employments—threatens any man that gave advice—no vessel to swim without his hand at the rudder—no money issued out of the Treasury without his approbation—if any other men had the thoughts they had not the power—he has no pique against him, but he is one of the four hundred (of the House of Commons) thought by the chancellor useless and inconsiderable.

These were the real grievances against the chancellor. The formal indictment was taken to the Lords by Seymour, with a request that they would order the committal of the accused; but this the Lords refused, on the ground that no particular treason had been assigned. This refusal led to a prolonged dispute between the two Houses, somewhat embittered by the duke of York's support of his father-in-law; but the Lords refused to give way, leaving to the chancellor's enemies, Buckingham, Arlington, and Bristol, the slender satisfaction of recording their protest³ in the Journals. At last on November 29 the ex-chancellor, still protesting his innocence, withdrew from England, leaving behind him a long petition to the Lords in which he attempted to vindicate himself. The two Houses ordered the petition to be burned, and passed an Act of Banishment⁴ in which it was declared that, having been impeached and having then withdrawn himself, he was to suffer lifelong exile and to be per-

¹ C.J. ix. 15–16.

² Grey, i. 23.

³ L.J. xii. 141–2, Nov. 20, 1667. Among the dissenting peers were Buckingham, Albemarle, and Arlington.

⁴ 19–20 Car. II, cap. ii.

manently disabled from holding office. Clarendon endured this sentence until his death at Rouen in 1674.

Throughout the session of 1667-8 the Commons continued their debates on the two vital topics—the financial administration and the mismanagement of the war. As early as the autumn session of 1666 they had called for accounts from the officers of the Navy and Ordnance in order to see how much of the money raised by the two Aids remained unspent. Hitherto the legislature had been dependent for information on the speeches of those members of the administration who had seats in the House; and this calling for accounts was an important stage in the process whereby the Commons acquired complete cognizance of the expenditure of revenue. But the Lords, acting in what they thought were the interests of the crown, vetoed the Commons' demand for a joint committee of inspection by the quibble that their precedents related to conferences, not committees; whereupon the lower House tacked to its Poll Bill a proviso empowering a small committee to examine into the accounts on oath. But, by bringing in the loyalist members, the Court succeeded in procuring an amendment which separated the proviso from the Bill. So the king got the supply¹ without the onerous condition originally attached thereto. The Commons then (Dec. 1666) passed a Bill for taking account of the sums voted for the war; but the Lords countered this by petitioning the king to name his own commission, as an act of grace. Charles complied, and his commission was appointed by letters patent of March 1667. In this contest of wits, therefore, the Commons had been 'dished'. But the events of the summer of 1667 suddenly transformed the farce into drama, and Charles was the first to realize the expediency of making concessions; so the Commons' Bill² for taking accounts was allowed to pass into law, and hence one of the results of the Dutch invasion of the Medway was that the Lower House vindicated its claim to inspect national accounts by its own committee.³

The report of the Commons' commission (communicated to the House in Nov. 1669) provides a commentary on the financing

¹ 18-19 Car. II, cap. i.

² 19-20 Car. II, cap. i.

³ For a full account of this see the very able and emphatic introduction of Dr. W. A. Shaw to *Cal. Tr. Bks.* 1667-8.

of the war, and the complete confusion surrounding the provision made for the crown's normal peace-time revenue. On the one hand, opponents of the Court such as sir T. Meres estimated that nearly seven million pounds had been provided for war expenditure, of which one million was still unspent; on the other hand Williamson, on behalf of the executive, contended that, while the Dutch had spent eight millions on the war, we had not spent half that sum.¹ There was similar confusion in the investigations of the commission. It was required to report on the sums actually voted for the war; these being the Royal Aid of March 1665, the Additional Aid of October 1665, the Three Months' tax for the Militia granted in 1661-2, the Poll Bill of October 1666, and the Eleven Months' Assessment of January 1667. From all these sources the total yield by the end of 1668 amounted to £4,355,047, and as the commission was satisfied that at least £4,335,244 had actually been spent on the war, the accounts may in a sense be said to have balanced.²

Unfortunately, seventeenth-century book-keeping was not so simple as this. As funds were kept in water-tight compartments, and as receipts might come in long after the date on which they were nominally due, the commission did not have at its disposal the materials requisite for an adequate balance-sheet. Moreover the matter was complicated by the addition of two large supplementary sums, one on each side of the account. On the receipt side they added a total of about £1,169,880 received from Customs, Excise, Hearth Money, Prizes and Dunkirk Money, which Charles had voluntarily applied to the purposes of the war, though not bound to do so, since these were mostly part of his hereditary revenue, and were required for the purposes of ordinary administration. By diverting these large sums from the already inadequate crown revenue, the debt on the civil administration was increased, and the inevitable bankruptcy was brought within nearer view. On the other side of the account, the expenditure side, the commission introduced two items which it refused to pass—£698,357 paid to the earl of Anglesey, treasurer of the Navy, and not yet accounted for; and £780,139, most of which had been paid to Carteret, Anglesey's predecessor, and was supposed by the commission to have been

¹ *Grey*, i. 186-7.

² *Shaw*, in op. cit. lxiv-lxv.

applied to purposes other than the war. On the one hand, therefore, Charles had contributed a sum which he need not have contributed; on the other hand there was a larger sum about the disposal of which there remained some dubiety; and so royal generosity was more than balanced by popular suspicion. These facts were destined to be of great consequence in the adjustment of relations between crown and legislature. But meanwhile there remains the question: how did England manage to conduct this war so cheaply? By withholding pay from the seamen and stinting their diet; by laying up ships, and leaving the smaller fry of contractors to be forced into bankruptcy. This economy might have been acceptable if all had shared alike, and in this respect a good example was set by the Court musicians, who, though their pay was more than three years in arrear, continued to supply wind for their instruments. But money could always be found for the courtiers, the courtesans, and the hangers-on who battered on Charles's good nature; and no balance-sheets, however plausible, can eliminate the enormous expenditure which these entailed.¹

As the Commons criticized the financing of the war, so they criticized its management. In his evidence of October 22, 1667, sir Edward Spragge said that Albemarle had advised the sinking of great ships to protect the boom; but instead, only a few small ones were sunk, through which the Dutch forced a passage. As to the dividing of the fleet before the Four Days' Battle of June 1666, this was attributed by Spragge to false intelligence that the Dutch would not be out for six weeks.² Secretary Morrice then gave an account of this incident within the limits of publicity allowed to one sworn of the king's counsels. His information of the Dutch movements was derived, he said, from a paid agent in Holland; whereupon the Commons resolved not to press for documents, since by so doing they might prejudice the Dutch spy in the employment of the English government. Prince Rupert's version was next given (Oct. 31). According to him the separation was founded on intelligence of some French ships being at Belle Isle, and others expected at Brest; there was also news that the Dutch were not likely to be out for some weeks; accordingly, it was thought that he might be spared to look after

¹ *Infra*, ii. 446-8.

² Millward's Diary, *Add. MS.* 33413, Oct. 22, 1666.

the French, in case they were minded to do damage in the Channel. Stress of weather, he said, had forced him into St. Helen's Roads, where he had learned that the Dutch were out. In this evidence Rupert made a general complaint of the lack of provisions in the fleet, and the delay in fitting out the greater ships. Albemarle then followed with his testimony. According to this, on May 14 he had been visited by sir G. Carteret and sir W. Coventry with a request that he would spare 20 ships to fall on the French; then, after detaching Rupert and these ships, he received from Arlington on the 27th a letter dated the 24th informing him of the report that the Dutch would be out 'suddenly'. Two days later he received (at 10 p.m.) orders to proceed to the Gunfleet. His evidence therefore shows that an interval of three days had elapsed between the dispatch and receipt of Arlington's all-important letter. Albemarle concluded his evidence with an account of the chaotic conditions at Chatham when he went there to organize the defence.¹

As a result of these investigations, articles of impeachment were brought in against commissioner Pett and sir W. Penn² (for neglect of duty), but the charges were not proceeded with. The divisions of the fleet, neglect in fortifying Sheerness, and payment of sailors by tickets were each condemned.³ Brouncker was questioned about his conduct in the battle off Lowestoft, when he brought pretended orders to sir John Harman, commanding him to shorten sail; for this he was dismissed the House in disgrace.⁴ These proceedings showed that, while still in the dark regarding the working of the administration, and still unaware of the inadequacy of their grants both for the war and for the royal revenue, the Commons were nevertheless awakening to a sense of the magnitude of their duties. Only six years had elapsed since their enthusiastic surrender of constitutional safeguards to the executive; now, the acid of disaster and disgrace had eaten away much of the tinsel and gilt with which the Cavalier Parliament had once been decked; nor, until these ornaments were removed, could parliament realize the great traditions of which

¹ C.J. ix. 10-30.

² Ibid. ix. 42-3, Dec. 19, 1667; 85, April 21, 1668.

³ Ibid. ix. 49-53, Feb. 14, 1668.

⁴ Ibid. ix. 85-86, April 21, 1668.

it was the custodian. In 1661 the House of Commons was a house of courtiers; by 1667 it was becoming a house of critics. It needed only the Third Dutch War to make them party politicians. Behind it all was the bogle of Popery, its menace becoming more sinister with each year that passed.

IX

CHARLES II AND LOUIS XIV, 1668-72

OF the two royal cousins whose inter-relations were of such consequence, Charles had obtained most of his knowledge of diplomacy from continental travel and intimate acquaintance with men; whereas Louis, except at the head of invading armies, never passed his frontiers, and was dependent for information on the reports of a host of agents. The English king governed a state long divided by religious differences, and soon to be embroiled in political faction; but the *Grand Monarque* was assured of the devoted loyalty of his subjects and, after 1685, of their religious uniformity. Nor were these the only differences; for, while Charles was lazy, immoral, and impecunious, Louis was industrious, respectable, and rich. Temperamentally, also, they presented a striking contrast. For every conceivable contingency Louis had an oriental profusion of cunning expedients, and so was able to do many things at once; while Charles, who was obliged to wait on events, preferred to settle one problem before tackling another. The elaborate calculations of Louis and his heavy investments in the House of Stuart were based on the assumption that if he could be sure of the English Court, he could be sure of the English nation.

Since the commencement of his personal rule (March 1661) Louis had assigned to England an important place in the network of policy with which he covered the civilized areas of the globe. From the point of view of Versailles, it appeared that England might be educated for the place she was destined to fill in a French world. Her heresies she would probably live down, since Reformation doctrines were not only ceasing to find fresh converts, but were becoming discredited by their mutual antagonisms; her strange constitution, with its talk of personal liberty, could easily be adjusted by a capable monarch brought up on the right principles; her Stuart kings, Christians and gentlemen like the Bourbons themselves, might serve as willing subordinates in the campaign for Gallic glory about to be inaugurated. Even her Saxon population, though naïve and uncouth, were not

unhopeful subjects for proper education, since their island existence had preserved them unspoilt, and whatever their minds might be, their bodies were worth something, because they provided good seamen and soldiers, with a reputation for tenacity and endurance, qualities admirably fitted to supplement the dash and brilliance of the Frenchman. Louis was sure that he and Charles ought to be friends, and he had money with which to pay for friendship.

A long and distinguished series of French ambassadors was accredited to the English Court. The acceptance by Charles and Clarendon of subsidies for the Portuguese marriage augured well for the Bourbon-Stuart goodwill, which was further promoted by the comte de Comingcs, who was sent over late in 1662;¹ but Louis had heard rumours of republicanism in England, so he instructed Comingcs not to commit his master to the giving of help against Charles's rebellious subjects, since difficulties at home would make the English king more grateful for French support. Comingcs was, however, to inform himself fully of the economic and political conditions of the country, and of its literature and men of letters; for Louis affirmed a determination to utilize this information 'for my service and my glory'. He added that a supply of English convicts would be welcome, as they would make good galley-slaves.²

Having secured the Dutch by the defensive alliance³ of April 1662, and in the assurance of the friendship or at least the neutrality of England, Louis could wait patiently for the death of his father-in-law before demanding all or part of the Spanish inheritance. His association with England, Portugal's ally, helped to guarantee the diplomatic isolation of Spain. The first interruption of these amicable relations came with the imminence of Anglo-Dutch hostilities, a threat which placed Louis in a position of some difficulty, because it was an unforeseen diversion of European policy from the lines which he had so cleverly laid down. The difficulty came from two sources: first, if England provoked Holland into a war, France would be obliged, in accordance with the treaty of 1662, to come to the help of the

¹ For his instructions see *Instructions Données*, i. 314-40.

² J. J. Jusserand, *A French ambassador at the Court of Charles II*, 133.

³ *Supra*, 248-9.

Dutch; and secondly, a war between these two maritime powers would probably result in leaving one of them supreme at sea, and therefore a menace to France. Charles assured Louis that, as the Dutch were really the aggressors, Louis might honourably absolve himself from his obligations;¹ but the French king was not convinced, and even at the eleventh hour he tried to obviate hostilities by diplomacy. So in April 1665 the *célèbre ambassade*, consisting of Henri de Bourbon, duc de Verneuil, and Cominges, was dispatched to England with instructions to combine with ambassador Courtin, and allay the war fever of the English House of Commons, with bribes if necessary. Charles dealt with the *célèbre ambassade* in terms which showed an appreciation of Louis's scruples and difficulties. It was not he but parliament which wanted war; he was sorry, he said, that the king of France should ally with a power against which England had so many grievanccs; moreover it was not an edifying spectacle to see the Most Christian King associated with Dutch republicans—'vous le devez à la royauté contre la république'.² The thrust may have gone home, but nevertheless Louis honoured his engagement and both kings went to war.

Thus the attempt to divert English policy had failed, but Louis was too great to feel personal resentment against Charles on this score. Throughout the Second Dutch War the king of France showed how tender might be his enmity when incurred by his friends, and how worthless his alliance when secured by his enemies, thereby introducing into diplomacy complications of a subtlety hitherto undreamt of. He combined two things apparently impossible of unison—he kept his faith with the Dutch, and at the same time he prevented either side establishing supremacy. The war was an interruption in his calculations, and so was disposed of in a manner that left things as they were. But if his sailors were idle, his diplomats were not; for he was conducting an intensive campaign against Spain, whose possessions he hoped to monopolize or partition. Already in November 1665 the English agent Fanshawe had signed the protocol of a treaty with Spain by which England was to be accorded the commercial advantages enjoyed by French and Dutch;³ but by

¹ *Mignet*, i. 415.

² July 1665. Jusserand, op. cit. 172.

³ *Mignet*, i. 433.

the beginning of 1666 France was nominally at war with England, and so it was imperative for Louis that England should share in the diplomatic isolation of Spain. Accordingly, the full force of French activity was directed against the Anglo-Spanish entente. The French ambassador in Madrid was directed to inform the Spanish government that, if the alliance with England were perfected, the French king would consider himself absolved from the treaty of the Pyrenees, since England was now his enemy. This threat was accompanied by an offer of mediation with Portugal. Meanwhile, the efforts of Fanshawe and Southwell to obtain the goodwill of Portugal were rebuffed, the Portuguese expressing a preference for French mediation; and the marriage of Alfonso VI with Mlle de Nemours (Feb. 1666) served still further to counterbalance English influence in Lisbon, and to consolidate the alliance of France and Portugal at the expense of Spain.

The substitution of Sandwich for Fanshawe in May 1666 did not bring the projected Anglo-Spanish treaty any nearer, and Spain succeeded neither in securing peace with Portugal, nor active alliance with England. But a commercial Anglo-Spanish agreement¹ was eventually concluded (May 13-23, 1667) which was later to be of great value to English commerce, since it allowed our colonial produce to enter Spanish ports duty-free. For the moment, however, in this game of snatching immediate advantages success lay with the French.² Louis completed his diplomatic triumphs with the Franco-Portuguese alliance³ of March 1667, whereby he detached our oldest ally, and left helpless the power which he intended to master. Elsewhere English diplomacy was defeated by the insistent penetration and forethought of France. Neither Carlingford in Vienna nor Henry Coventry in Stockholm was able to secure an ally; in April 1666 the bishop of Münster had been detached from our associates when France induced the elector of Brandenburg to declare war on him; and at the same time Frederick III of Denmark was added to our enemies. Charles would have to pay for his refusal of French mediation; and though in European waters he was spared the attacks of the French Navy, he must see in the falling away of his friends and the increasing number of his enemies

¹ *Dumont*, vii, pt. i. 27.

² Feiling, *op. cit.* 233.

³ *Dumont*, vii, pt. i. 17.

convincing proofs of the heavy effects of Bourbon displeasure. The lesson for the king of England was that he must accommodate his policy to the behests of Versailles, no matter what his subjects or House of Commons might think.

Thus by methods almost as devious and inscrutable as those of Providence Louis paved the way for the fulfilment of his designs. He had separated Portugal from both Spain and England so that he could use it against either of these two; he assured himself against the Emperor by alliances with the German princes; by influence and money he entrenched himself behind the ramparts of alliance or neutrality, and continued to deceive his hereditary enemy with the pretext of negotiation.¹ It remained only to detach England in order that the helplessness of Spain might be complete. This he achieved even before the cessation of Anglo-Dutch hostilities; for in April 1667 he secured Charles's written promise 'on the word of a king' that he would not ally with an enemy of France for the space of one year, and that during this year he would take steps to effect a close co-operation (*une liaison étroite*) with France.² Having obtained these advantages for the major operation which he contemplated, Louis could afford to be conciliatory at the Breda conferences which closed the minor operation standing in the way of his vaster designs; indeed, he did not wait for the conclusion of hostilities before startling Europe with a declaration of his real intentions. In the *Traité des droits de la reine* . . . he came forward not as an aggressor, but as the defender of abstract justice, anxious to confer the benefits of French civilization on territories which, 'by the unanimous consent of all the famous universities' 'devolved' on his consort. In May 1667 Turenne quickly captured Charleroi, Armentières, Tournai, Douai, and Lille. Thus, even before the signing of the treaty of Breda, the European situation completely changed—a change full of menace for the Dutch and of interesting possibilities for England.

In the shaping of foreign policy Charles had the help of advisers,

¹ As late as March 1667 Louis instructed his agent in Madrid to talk of an alliance with Spain for the purpose of driving the English out of the West Indies. (*Mignet*, i. 520.)

² *Mignet*, ii. 45.

while Louis had servants; consequently the former king was sometimes obliged to cheat not only his enemies but his ministers, and to that extent he was handicapped. For some time before the fall of Clarendon, Charles had begun to admit to his counsels a number of men having collectively no official status, and known to history from the word formed by the initials of their names, as the Cabal. It was not the first junto or informal cabinet council in England; but what little cohesion is possessed was due to the fact that all its members had, in different degrees, been enemies of Clarendon, and had risen by his fall; a second and equally negative characteristic was that none of them was devoted to the Anglican Church; for Clifford was a Roman Catholic, Arlington a crypto-Catholic; Ashley and Buckingham had links with the Dissenters, and the ex-Presbyterian Lauderdale would willingly have enforced any form of state religion on his fellow Scots. Thirdly, they were all opportunists, and were therefore both useful tools and good game for a monarch even more unscrupulous than themselves. The Cabal was only one of a series of rapidly changing groups of men who enjoyed some measure of royal confidence, and its dissolution was as obscure as its origin.

Chief of these men was sir Henry Bennet, created baron Arlington in 1663 and earl in 1672. From Eton and Christ Church he brought some reputation for scholarship; from the Civil Wars he brought a scar on the face as permanent proof of his loyalty. He had the gift for making the right friends and discarding them at the right moment; but as he lacked courage he never rose to real greatness among the bad men of Charles's Court. As Stuart agent at Madrid before the Restoration he had acquired a knowledge of Spanish and the habitude of diplomacy; to these he added a certain precision and formality of manner. In October 1662 he had succeeded Nicholas as one of the secretaries of state; with the decline of Clarendon he acquired more of the king's confidence by his suppleness and assiduity, and because as linguist and methodical worker he had two of the technical qualifications requisite in a minister of foreign affairs. Always civil and obliging, his chief talent was that of anticipating and fostering what he thought to be the secret wishes of his royal master, a slippery path for one having 'the pedantick carriage of

a true penman'.¹ He was credited with having urged England's entry into the Second Dutch War; but his marriage to a Dutch lady made it difficult for him to maintain a reputation for patriotism, or even consistency; nor did he succeed in achieving his cherished project of an alliance with Spain, because that would have involved the abandonment of Portugal. His nominal Anglicanism and his secret sympathies with Roman Catholicism further enhanced his usefulness for Charles. He repudiated the insinuation that he was a 'premier minister'.²

Chief of the satellites clustering round Arlington was Thomas Clifford, created first lord Clifford of Chudleigh and lord high treasurer in 1672. As a member of the House of Commons he had been among the first to enrol himself among the King's Friends, and was rewarded with a Tellership in the Exchequer and several commissionerships; he also performed good though irregular service at sea in the Second Dutch War, when he acted as Arlington's agent. In September 1665 he co-operated with Henry Coventry at Copenhagen in the attempted reconciliation with Denmark; and thereafter his promotion was rapid, a privy-councillorship being followed (on the death of Southampton) by a commissionership of the Treasury. As he had been Arlington's confidant in the Navy, so he was his right-hand man in the Commons, where he acted always on behalf of the Court. These rapid promotions caused some justifiable surprise among his contemporaries. But there was some consistency in his conduct. As an ardent Catholic he desired toleration for his co-religionaries; he disliked the Dutch; he dreaded everything that savoured of republicanism, and he believed that Charles should rule by a Tudor despotism. In him therefore Charles found a warm advocate of the policy which led to the secret alliance with France and the third war with the Dutch. He was an anomaly among Restoration statesmen—a believer in his horoscope, a warm-hearted friend, and a passionate enemy. He died by his own hand.

¹ Ailesbury, *Memoirs* (ed. 1890), 14.

² Conway to sir J. Finch, Feb. 1668, in *Cal. S.P. Dom.*, 1667-8, 258. For an unsympathetic character-sketch see *Clar. S.P.* iii, Appendix lxxxii; for a sympathetic one see Feiling in *op. cit.* 76-80. For a good biography see Prof. H. Barbour, *Henry Bennet, earl of Arlington*.

In striking contrast with him was Buckingham, son of the favourite of James I and Charles I, endowed with vast estates, brought up like a prince, distinguished by the most national of all English names—George; the most convincing personal proof that birth and brains are inseparable. As the only one of Charles's ministers who pursued a career for amusement he had a special place in Charles's affections; but he frequently transgressed the wide limits of royal tolerance, and set a standard of ducal independence and vagary never since approached. His personal dislikes were the sole incentives in his political career, and his failures were due to the fact that even Restoration England was not educated up to his standards of excess and indecency. Probably from a dislike of Anglican respectability he favoured the cause of the Dissenters, and was therefore useful as a possible agent in the policy of toleration; but he was a dangerous tool, because he had no compunction in committing treason; and he was an enemy to be feared because of his vast resources of ridicule. Henry VIII would have sent him to the block; but Charles preserved him as a curio having unique ornamental possibilities if handled with circumspection. He was like Clarendon in this, that circumstances had imposed him on the king, and like Clarendon also, he was set aside when he had served his purpose. His Mastership of the Horse and privy councillorship gave him his official status at Court; his ready wit blended well with Charles's conversational sallies, and his character of bully and adulterer made him an acceptable agent in the negotiations with Versailles.

Of the two remaining members of the Cabal Lauderdale, who had successfully lived down his Presbyterian associations, gave Charles the longest and the most devoted service as his secretary for Scottish affairs. His 'Saracen fiery face' and his 'high Scotch' pronunciation¹ added a touch of variety and colour to Charles's more intimate councils. He spoilt the good stories of his colleagues in the telling of them, and he retailed his own coarse jests as specimens of wit. His Hebrew scholarship was all that remained of a somewhat faded ecclesiasticism, and he was the crudest but most dependable tool in the Cabal.

Lastly, there was Anthony Ashley Cooper, vigorous in mind

¹ Ailesbury, *Memoirs*, 14-15.

and weak in health, an enigma even to those contemporaries who knew him best. Within the loose limits of the category 'parliamentary Presbyterian' he had won the guarded esteem of Cromwell, who could never quite trust a man with a middle name, since two names were then thought sufficient for an honest man. Ashley had kept pace with the movement which led to the king's recall; and, as he was known to have business aptitudes, he was appointed to the then subordinate post of chancellor of the Exchequer, and created baron Ashley in 1661. A certain liberalism in his outlook led him to oppose the ecclesiastical policy associated with the name of Clarendon; while his instinct for accommodation led him to join forces with Bennet, who had only success to counterbalance his obvious inferiority of mind and character. Diligence and talent were the qualities which made Ashley of service to the enemies of the chancellor; and as treasurer of Prizes in the Second Dutch War he was able to commend himself to Charles. With these activities he combined colonial enterprises in the new world wherein he hoped to realize those visions of toleration and self-government unattainable in the old;¹ indeed the strands of idealism and scruple are closely woven into the texture of his career. He might have stepped out of one of Mr. Gladstone's cabinets into the Cabal, and out of the Cabal into a conclave of Whitechapel desperados; he was the Jekyll and Hyde of English politics, alike an apostle of enlightenment and progress, and an agent of force and falsehood, all the more formidable because his frame was small and his spirit unquenchable. He introduced into politics the new elements of advertisement and publicity, as Danby introduced those of organization and party management; on the bases of Oates's perjuries and Monmouth's pretended legitimacy he created a great political party distinguished for personal independence and exalted principle. In judging between him and Charles posterity may have to be content with the king's reference² of the question to the Day of Judgement.

This portrait gallery would be incomplete without at least a bust of Will Chiffinch. In 1668 he succeeded a respectable brother in the office of page of His Majesty's bedchamber, and

¹ For this see *infra*, ii. 673-6.

² Charles's frank statement of the case will be found in *Burnet*, ii. 300.

he died just in time to avoid the deluge of 1688. As confidential agent, procurer-general, and pawnbroker-in-chief¹ to the king, he handled many thousands of pounds; and so extensive was his private information that, had reputations been commonly assessed in money, he could have blackmailed more than half the court of his royal master. Pepys, who sometimes dined with him on pickled herring, always found him 'civil'. Under his skilled management, eavesdropping became a profession and the backstairs a political institution. His functions were thus described by Roger North:²

The back-stairs might properly be called the spy office where the King spoke with particular persons about intrigues of all sorts. . . . Chiffinch was a most impetuous drinker and, in that capacity, an admirable spy; for he let none part from him sober, if it were possible to get them drunk; and his great artifice was pushing idolatrous healths of his good master. Nor, to make sure work, would he scruple to put his master's salutiferous drops (which were called the King's, of the nature of Goddard's)³ into the glasses; and, being a Hercules, well-breathed at the sport himself, he commonly had the better, and discovered men's characters which the King could never have obtained by any other means.

Chiffinch performed a great and honourable service to the Stuarts by *not* writing his memoirs.

Such were the councillors most closely associated with Charles when, with the French invasion of the Low Countries (May 1667) and the conclusion of hostilities at Breda (July 1667), entirely new problems of policy presented themselves. Louis now called upon the States General to co-operate with him in compelling Spain to recognize his rights by 'devolution', reminding them of the sacrifices he had made on their behalf; while to Charles he explained frankly the unfortunate circumstances which had obliged him to declare war on England in January 1666. The declaration of war, he confided, was really no more than a scrap of paper (*un parchemin*), and in the ensuing war he had used his fleet, not to assist the Dutch, but to escort a bridal procession, that of Mlle de Nemours to Lisbon, for her marriage with Alfonso VI. Moreover

¹ For an example see *Cal. Tr. Bks.*, 1681-5, 251-2.

² *Life of Francis North, Lord Guilford* (1742), 210.

³ For the 'drops' of Dr. Goddard see *D.N.B.*, s.v. Jonathan Goddard.

he had ceased from even the pretext of war in European waters two months before peace was signed.¹ In order to reinforce these arguments, the ambassador Henri de Ruigny was sent to England in August 1667. On his side, Charles, warmly seconded by Buckingham, made no secret of the fact that his heart had always been for a French alliance; but unfortunately there were few of his opinion either in council or parliament. He hinted that Spain had made him tempting offers, but France would have the preference.² Louis then offered one of two things—a league of mutual support (against rebellious subjects), or a joint enterprise against the Spanish West Indies.³ Louis added that as the Dutch were likely in the near future to do something that would absolve him from keeping his ever-memorable engagement of 1662, Charles would have an opportunity of wiping off old scores against his commercial rivals, without fear of French intervention on their behalf.

Charles knew that in its exhausted state England could not for some time engage in hostilities, even in conjunction with an acceptable ally; accordingly, he suggested a policy of neutrality, and on this basis the negotiations were lengthened out into the winter of 1667–8. Arlington and the pro-Spanish party profited by this delay to further the design of an alliance with the Dutch against France; and an agent named Meerman was sent to England by De Witt for the encouragement of this proposal. The anti-French party in England also tried to make capital of the fact that the exiled Clarendon was in refuge at Rouen; but Louis promptly deprived his opponents of this weapon against him by ordering the expulsion of the ex-chancellor from France. For a time, therefore, Charles dallied with two sets of negotiations—that with De Witt and that with Louis.⁴ The former led to immediate results. Sir William Temple, then agent at Brussels, saw that the success of France in the Low Countries might well force the Dutch into the arms of the French; these fears he communicated to Arlington, who, on November 25, 1667, instructed Temple to ascertain if De Witt would enter into a defensive alliance with the English for the security of the Spanish Nether-

¹ *Mignet*, ii. 508.

² *Ibid.* ii. 517.

³ *Ibid.* ii. 518–19, Oct. 9, N.S. 1667.

⁴ *Ibid.* ii. 540–5, Dec.–Jan. 1667–8.

lands. De Witt, though surprised by this sudden change of front, expressed willingness to enter a compact of joint mediation and defence. In order to conclude such a treaty,¹ Temple, about whose sincerity and friendship for the Dutch there could be no doubt, was, at the request of Arlington, sent to The Hague in January 1668.

The Triple Alliance, to which Sweden adhered conditionally in January and definitely in May, was signed on January 13/23, 1668, and consisted of three compacts. By the first, Charles and the States General engaged in a defensive alliance whereby each promised to provide armed assistance if the other were attacked. The second and the third, the one public, the other private, defined the terms of mediation between France and Spain, in which Sweden was invited to participate. These terms were identical with those² which Louis had himself proposed in September 1667, namely, that Spain would adopt one of two alternatives—either confirm Louis in his Flemish conquests of 1667, or transfer to him all Spanish rights in either Luxemburg or Franche Comté, together with Cambrai, Douai, St. Omer, Bergues, Furnes, and Linck. Charles and the States General bound themselves to employ their efforts to induce Spain to accept these terms, and to oblige the two crowns to accommodate their differences on this basis. By the secret clauses England and Holland undertook to do their utmost to establish peace between Spain and Portugal, and they agreed that, in the event of France failing to restore peace on the alternatives specified, they would wage war on France by land and sea until France was reduced to the limits defined in the treaty of the Pyrenees.³

Thus, by the terms of the Triple Alliance Louis's enemy and ally of a few months before were both now ranged against him, but in such a manner that the threat of hostilities was secret, and the French king was publicly invited merely to give effect to terms which he himself had suggested. The contracting parties hastened to assure Louis of their good intentions, Charles explaining to Ruvigny that the alliance made no difference in their relations; and in a personal letter he assured Louis that he had

¹ The 'tenor mandati' is in *Dumont*, vii, pt. i. 66.

² In his *Memoir* for the comte d'Estrades, *Mignet*, ii. 492.

³ *Mignet*, ii. 540-55.

acted in his (Louis's) best interests. As the Triple Alliance was popular in England, and seemed likely to effect its object, Arlington boasted that he was its author, while Temple suddenly leaped into fame as the champion of Dutch interests. From this point, therefore, may be dated the beginnings of that change in English sentiment, whereby commercial rivalry with the Dutch was subordinated to hatred of France and jealousy of her political ambitions. The mingling of the currents can be seen in the Commons' debates during the earlier months of 1668. Having announced the formation of the Triple Alliance, Charles asked parliament for two things—a supply in order to fit out the Fleet, and the consideration of means to secure unison among his Protestant subjects.¹ In response, the Commons voted the sum of £310,000 to be raised by an imposition on wine and spirits, a levy intended to fall heavily on French imports;² in regard to the second request there was some difference of opinion, for while a majority petitioned the king to issue a proclamation against conventicles, several members of the Commons expressed a desire for comprehension or toleration.³ Here was the beginning of that process whereby Protestant Englishmen were to be welded together in the fire of hatred against France and the Papists.

Charles's policy was thus a well-timed bid for the support of English opinion, and also a hint to Louis that a good price must be paid for English support. Another effect of the Triple Alliance was that Spain, realizing her impotence at last, agreed to come to terms with Portugal; accordingly, the latter country was detached from France, and her independence achieved, a measure facilitated by a revolution which occurred late in 1667, when the insane Alfonso VI (a protégé of Louis) was deposed and replaced by his brother.⁴ On February 3, 1668, was signed the treaty by which Spain treated Portugal as an independent power, and so was ended a struggle which had lasted for more than twenty years. Thus the members of the Triple Alliance could congratulate themselves on the efficacy of their intervention. Louis also could congratulate himself; for in January 1668 he had signed with the Emperor Leopold a treaty dividing the Spanish

¹ *L.J.* xii. 181.

² *Grey*, i. 110-15.

³ 19-20 *Car. II*, cap. vi.

⁴ *Mignet*, ii. 565 sqq.

empire between them. But, as if this were not enough, in February he sent Condé into Franche Comté, which he speedily occupied. This conquest Louis restored to Spain by the treaty of Aix-la-Chapelle (April 1668), retaining only, from his captures of May 1667, some frontier towns, such as Lille, Douai, and Charleroi, a magnanimity which astonished Europe, for nothing could have resisted the force of French arms; and since Louis was not noted for moderation, there must have been some reason for this act of generosity. Surely the Triple Alliance was the cause that the travailing mountain had produced no more than a mouse? Or was Louis making a public demonstration of both his military force and his political morality? That the French king held the latter view may be inferred from his Memoirs.¹

The surrenders made by Louis at the treaty of Aix-la-Chapelle were so obviously inconsistent with his military successes that the treaty was unpopular even in France; and in spite of his secret arrangement with the emperor, the French king eventually came to the conclusion that in reality he had been duped. Charles had not kept his 'word of a king'; the Dutch, for whom he and his ancestors had sacrificed themselves, had returned friendship with betrayal. It was not the treachery of Charles that rankled in his mind, for the English king was only secretly his ally, but the treachery of his public and traditional allies, the States General. At this point there was superimposed on French political strategy the consideration of economic policy. France had important overseas possessions; but what advantage were they? The furs of Canada were traded not by Frenchmen but by Dutch and English; at French Senegal, the same Protestant powers were in control of the export trade in negroes; in Martinique, the Frenchman grew sugar with the help of Dutch capital and exported it in Dutch ships; only in unhealthy Madagascar were the French colonists unencumbered by these foreign traffickers. Already, England had passed Navigation Acts to keep the Hollander out of her overseas trade; and by her treaty of 1667 with Spain had obtained just enough footing in the Spanish empire to make possible a profitable trade in contraband

¹ It was stated in the Memoirs compiled for Louis that by these concessions he wanted to establish confidence among small states. (*Œuvres de Louis XIV*, ed. 1806, ii. 369.)

and logwood. It was Colbert who had first awakened to the facts.¹ He realized that by their penetration the Dutch were obtaining cargoes and markets where they had no territorial responsibilities, and accordingly he set himself to do for France what the English legislature was attempting to do for England. In 1664 he founded the West India Company with the express object of transferring the sugar freights to French ships, and in 1667 he imposed such a severe tariff on imports into France that the Dutch themselves had to admit the prospect of ruin.

Not content with the economic advantage already secured to him by tariffs, Colbert urged a war of extermination against Holland, apparently on the assumption that he could transfer Dutch industries and ships *en masse* to France. This was one of the few aberrations in the policy of an otherwise enlightened statesman, and he had to pay for it; for by the treaty which ended the war of 1672 he was obliged to surrender his tariff of 1667, and so restore to the Dutch their economic advantage. If Colbert erred so grievously in trying to obtain better conditions by war than he already possessed by peace, the attitude of Louis XIV may well be understood; for at least he was not thinking in economic terms at all (there is scarcely any mention of such things in his correspondence); he was occupied not with tariffs but with higher things—with religion and glory. It was characteristic of the juxtaposition of two entirely different policies that while the two kings were considering a political and religious alliance, their ministers were negotiating a commercial treaty designed to give specially favourable terms to the imports from each country, and intended to complete the work of the tariffs by uniting England and France in a Customs union against the Dutch;² it was characteristic also that while the first of these

¹ For this see Lavissee, *Histoire de France*, vii, pt. i. 233 sqq., and S. L. Mims, *Colbert's West India Policy*, 51 and 69.

² The first draft of this treaty was sent by Arlington to Colbert late in August 1669. It provided free entry and trade in the ports of the other on terms afterwards to be arranged; each was to export cloth and silk to the other; French wine was to be freely admitted, but not French fancy goods. Tariffs were to be reduced to conform with the moderate ones imposed by France in 1664. It was objected in France that the advantages of this treaty were all on the English side; especially as French fancy goods were prohibited; and the project never materialized. For an account of the

alliances was completed, the second was not. There was added a peculiar psychological element. Louis admitted privately that in the second Dutch War he had, in spite of his alliance, made no sacrifice whatever on behalf of the Dutch; but nevertheless he was genuinely indignant that they had forsaken him. Charles had also played false, and might again do so; yet somehow it seemed to Louis that the infidelity of a Stuart differed fundamentally from that of a Dutchman. At Versailles, therefore, righteous indignation was superimposed on economic motive; but the two did not harmonize, and it was the higher of these impulses which really stirred Louis, especially as it was linked with the establishment of Catholicism in England. So the negotiations with Whitehall were resumed, and the cordial relations between the two kings were speedily restored.

Charles Colbert de Croissy (younger brother of the great Colbert) came to England as ambassador in August 1668, with instructions to the effect that Spain was no longer the enemy, but the States General. He was warned against Lisola, the active Imperial agent in England, and against Arlington, the man with a Spanish heart and a Dutch wife; but Arlington might be bribed, and a *buffet de vaisselle d'argent* of the value of 100,000 écus was suggested as the probable limit of his price.¹ The envoy found both king and duke of York anxious for a French alliance, and that Buckingham was the most active agent for this policy, while Arlington was its chief opponent; but the Frenchman may have had reason to conclude that the cause of his country was as much hampered by the advocacy of its friends as by the opposition of its enemies; for Buckingham was striving to remove every friend of the Dutch from office, while Arlington was scheming, with the help of Temple,² to create a great anti-French league composed of the States General, the Swiss Cantons, Brandenburg, Luxembourg, and Saxony. There could be no hope, therefore, that a definite policy would crystallize from the mixture of personal jealousy and suspicion which constituted the substance of English diplomacy in 1668. Enmity between Buckingham and Arlington

treaty see P. de Ségur-Dupeyron, *Histoire des négociations commerciales du règne de Louis XIV*, 246-54.

¹ *Instructions Données*, ii. 53. For the relative value of the écu at this time see *supra*.

² Temple, *Memoirs*, ii. 369,

helped to neutralize their rival principles; the Cabal was held together only by fear of the exiled Clarendon; commercial jealousy of the Dutch was still so strong that Clifford hinted at another war, and the rapid development of the French Navy and Mercantile Marine under the supervision of Colbert conjured up visions of a menace to England even greater than that from Holland. In these uncertainties Charles was more than usually evasive. To his sister he explained his difficulty in accepting the French alliance. The commercial interests in England were, he explained, becoming alarmed by the extension of French enterprise, and he personally was bound by a treaty with the Dutch—a restraint which, he hinted, would be appreciated by Louis, who had proved himself ‘a martyr to his word’.¹ If Charles was so cryptic in a private letter to his sister, it may readily be understood that his ministers failed to divine his intentions.

Charles may at last have been induced to make up his mind by an event within his own household. Early in 1669 the duke of York began to doubt whether his membership of the Church of England was consistent with salvation, and recourse to a Jesuit father confirmed these misgivings. Not only did James decide to avow the Catholic faith, but he discoursed freely on this subject with two Catholics in his entourage, lord Arundell of Wardour and sir Thomas Clifford, and also with the undeclared Catholic, Arlington, all of whom knew of the king’s religious inclinations. Now that the brother had openly declared himself, there seemed an opportunity not only of inducing the sovereign himself to avow the faith, but to take measures for its promotion in England. On January 25, 1669 (anniversary of the conversion of St. Paul), Charles interviewed the duke and his three sympathizers, and after expressing his sorrow that he could not at that time avow his religious convictions, he asked for their views on the best means of promoting the Roman Catholic religion in England. If the duke of York’s biographer is to be believed, Charles shed tears as he discoursed on these solemn topics.² The decision of this secret conclave was said to be a resolve to seek the support of France, and with this object the negotiations with Louis were resumed. These were committed to lord Wardour,

¹ *Mignet*, iii. 50.

² J. S. Clarke, *Life of James II*, i. 440 sqq.

Henry Jermyn (lord St. Albans), and sir Richard Bellings, and were not at first communicated to the French ambassador.

Arlington was now readily won over to the project of a French alliance, and as lady Castlemaine regarded it with favour she was confirmed in the cause by judicious presents.¹ The agents employed by Charles were well chosen. Henry Jermyn, lord St. Albans, was admirably fitted for the post of ambassador-extraordinary in France; for he was by temperament more French than English, and combined the qualities of prudence and parsimony with the gambling instinct. As the confidant and possibly the husband of the queen-mother he was the elderly representative of the family interests. Sir Richard Bellings, private secretary to Queen Catherine, and lord Arundell of Wardour represented ardent, native Catholicism, and their comparative obscurity was an advantage in an affair requiring the utmost secrecy. While the real negotiations were being conducted by these men, Colbert de Croissy and Buckingham were kept busy with the long-projected commercial treaty,² which now served as a blind to the more serious commitments of the two monarchs.

By October 1669 the main principles of agreement had been reached, these being that France would undertake to assist Charles in two separate designs—the restoration of Catholicism in England, and the renewal of hostilities with the Dutch. It was now thought necessary to bring Colbert de Croissy into the secret; he was admitted to at least a version of it. In an interview with him early in November, Charles admitted that the project of restoring Catholicism in England might seem utter folly; but nevertheless he was convinced that, with the help of Louis, he could do it; for he was assured of the devotion of his troops; the governors of several of his garrisons were Catholics, and the Sectaries hated the Anglicans more than the Catholics. He was now convinced of the necessity of publicly confessing his Catholicism; not merely for spiritual reasons, but because only on this foundation could he restore the monarchy. The ambassador did his best to moderate this religious zeal in the English monarch,

¹ *Mignet*, iii. 87.

² Dispatch of Colbert de Croissy to Louis XIV, Nov. 13, 1669, in *Mignet*, iii 102-6

warning him of the danger of kindling tumult; for religion is a 'fire of brimstone and nitre', consuming everything in an instant; and moreover, with 20,000 ex-Cromwellian soldiers in London, it would be suicide to commence with the religious part of the compact. Why not begin with the war on Holland, since that would commend itself to English desires; and then, after a successful campaign, Charles could garrison the places allotted to him abroad with troops of whose obedience he was not certain, while at home he could depend on his veterans and new levies to enforce the change of religion? His subjects, satisfied with the material results of the war, and confronted with a king well armed for defence and attack, both at home and abroad, would thereupon acquiesce in the royal will, and subsidies could be obtained from parliament on the pretext that they were needed for war against the Dutch. These were the views of Louis, as communicated to the king by the ambassador. Charles concluded by saying that after all it might be best to begin with war on the Dutch; but he himself was impatient to launch the great spiritual enterprise. Louis expressed approval of the arguments which his agent had used to cool the religious ardour of Charles.¹

During the breathing space of the long parliamentary recess (May 9, 1668–October 19, 1669) Charles ordered a review of his financial situation in order that he might determine how far he was dependent on parliamentary support. It was estimated that the total proceeds from the hereditary sources amounted to £1,030,000; and it was thought that by strict economy the Civil List might be reduced to £996,476. The lords commissioners of the Treasury were ordered on July 22, 1668, to put this report into execution.² It might have been possible to do so if provision had been made for clearing away existing debt, or making good the deficits in the Customs, Excise, and Hearth Money due to unforeseen causes, and if Charles had been able to limit his private expenditure to the moderate dimensions specified in the scheme of retrenchment. But it was soon obvious that the scheme was satisfactory only on paper, and that Charles was still

¹ *Mignet*, iii. 106.

² *Cal. S.P. Dom.*, 1667–8, 499. For full details see *P.C. Reg.* 60, July 22, 1668.

dependent on the generosity, or rather the reasonableness of the Commons, and on the demands of those who ministered to his assiduous and indiscriminate proclivities. A second alternative had to be considered—that of summoning a new parliament which, it was assumed, would contain a considerable proportion of Dissenters, who might be willing to make substantial grants in return for toleration. But even Albemarle was against this project, because of the disorder which it might excite; nor was Charles willing to be at the mercy of men who were still marked by the stigma of republicanism. The Cavalier Parliament was suspicious, niggardly, and quarrelsome; but at least it would retain the monarchy by force rather than compromise; moreover, its intolerance was helping to maintain Protestant disunity, and so was of indirect service to the duke of York and the Catholic members of the Cabal. It was of service also to Buckingham, who encouraged its suspicion of the prerogative in order that he might make Charles more amenable to his influence.

It seemed inevitable, therefore, that Charles must submit to the yoke of his legislature. When parliament reassembled in October 1669 he announced¹ that the grant of £310,000 made early in 1668 had been wholly spent on the Navy, and on the special naval expenditure entailed by England's participation in the Triple Alliance. He earnestly desired his listeners to make some provision for the payment of his debts; at the same time a project for reuniting England with Scotland was recommended for favourable consideration. In their reply, the Commons showed that these things did not touch them deeply. They were more concerned about their privileges, as involved in the dispute *Skinner v. The East India Company*,² than about the danger of the executive falling into bankruptcy; more important for them than union with the northern kingdom were the accusations of embezzlement against sir George Carteret, formerly treasurer of the Navy, who after several heated debates was suspended³ from the deliberations of the House by a narrow majority on December 10. At the same time it was proposed to impeach the earl of Orrery for fraud in the administration of Munster, and it was resolved to petition the king to allow witnesses to come over from Ireland.⁴ Thus, instead of granting a supply, the Commons showed a dis-

¹ *L. J.* xii. 251-2. ² See *infra*, ii. 469. ³ *Grey*, i. 214. ⁴ *Parl. Hist.* iv. 434-9.

position to investigate the administration of the finances in both England and Ireland, and the talk of impeachment recalled memories of the days of Strafford. On December 11 Charles suddenly prorogued both Houses until February 14, 1670. He had experienced nothing but disappointment and vexation from this session.

This prorogation coincided with the completion by Bellings of the first¹ draft of the secret treaty with France, a draft shown to Colbert de Croissy on December 18. Briefly summarized, its proposals were these. For his declaration of Catholicism Charles demanded £200,000 sterling, together with more money and armed assistance (at the charge of France) in the event of the announcement of Catholicism causing a rebellion in England ('ce qu'on ne croit pas'). A subsidy of £800,000 per annum was to be paid for English participation in the joint attack on Holland, the avowed purpose of which was to destroy the government of the States General. In Dutch territory England was to have the islands of Walcheren and Cadsand, while Flushing was to go to the prince of Orange, whose interests were to be safeguarded. Charles undertook to abide by the treaty of Aix-la-Chapelle, but in the event of Louis arranging a partition of Spanish territory, England was to have Ostend, Sluys, Minorca, and the Spanish American possessions, together with French help to take over these possessions. The declaration of Catholicism was to precede the war on Holland.

In suggesting these terms Charles may have over-estimated the generosity of Louis. The latter did not think that £200,000 was an exorbitant price for inducing Charles to enter the Catholic fold publicly; but he agreed with Colbert de Croissy that the £800,000 annual subsidy for the war was 'a thunder-clap which took his breath away'.² Charles reduced the amount to £300,000, but refused to concede the supreme command of the allied fleets to the French. While these negotiations were proceeding, he was quietly strengthening his position so as to increase his bargaining power in relation to both parliament and Louis XIV. Through Lauderdale, his lord high commissioner, he succeeded in persuading the Scottish estates to pass an act giving him power to

¹ *Mignet*, iii. 117-23.

² Colbert de Croissy to Louis XIV, Dec. 30, 1669, in *Mignet*, iii. 127.

use the Scottish militia outside their frontiers,¹ and at the same time he secured Ireland, after Ormonde's recall (March 1669), by appointing as lord lieutenants first the Presbyterian Robartes, who was known to be in sympathy with the king's toleration policy, and then (May 1670), after Robartes's dismissal, lord Berkeley of Stratton, who was entirely dominated by Catholic personages, including his secretary sir Ellis Leighton.² The treaty of Dover was thus preceded by changes in Scotland and Ireland intended to make it more possible for Charles to use these countries against England.

In thus playing one party against another Charles showed consummate skill; never indeed throughout his reign was he more actively employed than in the earlier months of 1670, when at last there seemed a prospect that he might one day free himself from the institution which trammelled his actions. The members who reassembled on February 14, 1670, may have been vaguely conscious that the situation was altering insensibly in favour of the executive; for they showed themselves more compliant than they had been in the previous autumn. Not only did they consent to erase from their records all entries relating to the case of Skinner and the East India Company,³ but they hastened the consideration of supply, and voted an additional levy on wine and vinegar for seven years, estimated to produce about £400,000 per annum.⁴ They even shelved the question of further research into the financial administration of Carteret; and when he adjourned them on April 11, Charles could with truth assure his Lords and Gentlemen that 'he was very well satisfied with the results of the meeting'.⁵ The Dutch were also pleased; for the tax on wine and vinegar fell most heavily on French imports; and it was clear that the legislature did not favour commercial reciprocity with France. In this vote Louis might have detected an illustration of English sentiment towards his country; but neither economic considerations nor national opinion had any place in the great schemes which he was patiently perfecting.

With this accession of financial strength and popular goodwill Charles was in a better position for bargaining; and early in 1670 he enlisted the support of his sister, the duchess of Orléans, in his

¹ *Infra*, ii. 413.

² *Infra*, ii. 396-7.

³ *Parl. Hist.* iv. 444.

⁴ 22 Car. II, cap. iii.

⁵ *L.J.* xii. 351.

efforts to secure the largest possible subsidies, a move probably due to the duke of Buckingham, who wished the two kings to negotiate as 'gentleman to gentleman'. From the point of view of the French monarch, Madame might be useful if she could induce her brother to undertake the war before the announcement of Catholicism, and a personal interview seemed the best expedient to effect this purpose; but many weeks were spent in obtaining the consent of the duke of Orléans, who was jealous lest his wife should acquire glory for herself, and so emancipate herself from his tutelage. The Dutch, moreover, were now convinced that some secret business was on foot, and Arlington had much trouble in keeping the insistent van Beuning at arm's length. At last the scruples of the duke of Orléans were overcome, and on May 16, 1670, Madame was at Dover, where she interviewed Charles. She may have repeated the French arguments for completing the war before the conversion; or she may even have suggested that the two might be combined;¹ but in any case it is doubtful whether she could have exercised much influence on her brother, who always kept his own counsels, and knew the conditions in England much better than she did; indeed, Charles probably welcomed the interview at Dover, not because it enabled him to discuss high policy, but because it provided the opportunity of meeting the only relative for whom he had any affection.² Six days later (May 22, 1670) the secret treaty of Dover was signed by Arlington, Arundell, Clifford, and Bellings for England, and by Colbert de Croissy for France.

The preamble to the secret treaty of Dover recited that only by a perfect union between their persons could the kings of England and France procure entire felicity for their subjects. Then followed these clauses:³

1. For the perpetual union and friendship between the two kings and their states articles so secret and advantageous to both monarchs have been agreed upon that a treaty of similar importance can hardly be found in any period of history.

¹ This is suggested in one of her letters; see K. Feiling, *Henrietta Stuart and the origins of the treaty of Dover* in *E.H.R.* xlvii.

² In Dec. 1661 Charles welcomed his sister's proposal of a meeting at Dunkirk. (*Aff. Étr. Angleterre*, 26, f. 17, Dec. 16, 1661.)

³ For the text see *Mignet*, iii. 187-97.

2. The King of England, being convinced of the truth of the Roman Catholic religion is resolved to declare it, and to reconcile himself with the Church of Rome as soon as the state of his country's affairs permit. He has such confidence in the fidelity and affection of his subjects that none of them, not even those who (as yet) have been denied a full outpouring of divine grace, will fail in their due obedience to their sovereign. But as there are always unquiet spirits who mask their designs under the guise of religion, the King of England, for the peace of his kingdom, will avail himself of the assistance of the King of France, who, on his part, as he is anxious to contribute to a design glorious not only for the King of England, but for the whole of Catholic Christendom, promises to pay to the King of England the sum of two million livres tournois, the first half payable three months after ratification of the present treaty, the other half three months later. In addition, the King of France undertakes to provide, at his own expense, 6,000 troops for the execution of this design, if they should be required. The time for the declaration of Catholicism is left entirely to the discretion of the King of England.

3. The King of France will never violate the peace which he has concluded with Spain, nor will he do anything inconsistent with the terms of the treaty of Aix-la-Chapelle; so that it will be possible for the King of England to act in conformity with the conditions of the Triple Alliance.

4. If the King of France should acquire any fresh claims or rights on the Spanish dominions, the King of England will assist him by land and sea to enforce these rights.

5. Each of the contracting sovereigns has a sufficiently large population to justify their joint resolution to humble the pride of the States General, and to destroy the power of a people which has not only shown ingratitude to those who have helped it to create its republic, but has had the insolence to set itself up as a sovereign arbiter among other states. Accordingly both sovereigns will jointly declare war on the States General, and neither will engage in a treaty or truce without the other. All treaties between the States General and either of the contracting parties (except the Triple Alliance) shall be considered void.

6. In the joint hostilities agreed upon the King of France will defray all the expenses of the campaign by land, the King of England agreeing to supply at his charge 6,000 foot.

7. For the war by sea the King of England will arm at least 60 men-of-war and 10 fireships, to be joined by a French auxiliary

fleet of at least 30 good ships, the whole to be under the command of the duke of York. To assist the King of England to defray the costs of the campaign, the King of France undertakes to pay him each year the sum of three million livres tournois, for so long as the war may last. The English share of the conquests from the Dutch shall be Walcheren, Sluys and Cadsand. Both sovereigns undertake to exert themselves to procure that the Prince of Orange shall find his interests in the continuation and conclusion of the war.

8. Each sovereign shall do his utmost to persuade the kings of Sweden and Denmark to join in the war against the Dutch, or at least to remain neutral; an attempt will also be made to secure the participation of the electors of Cologne and Brandenburg, the house of Brunswick, the duke of Neuburg, and the bishop of Münster.

9. After the King of England has made the declaration specified in article 2, it will be free for the King of France to decide the time for the joint declaration of war.

10. Should there be found in any treaty of either crown with another state any clause inconsistent with the terms of this treaty, such clause shall be null and void.

11. In order to unite the interests of the subjects of both crowns, it is agreed that the treaty of commerce on foot¹ shall be brought to a conclusion as soon as possible.

The first difficulty confronting the execution of this secret treaty was that it had been signed by only two of the king's ministers and was unknown to the Protestant members of the Cabal, of whom Buckingham might prove the most troublesome if he found himself entirely excluded from confidence. It was resolved, therefore, to negotiate a second treaty identical with the first, except as regards the king's declaration of Catholicism. A convenient starting-point for the fictitious treaty was found in the visit of the marquis de Bellefonds to London in July 1670 on a mission of condolence on the death of Charles's sister.² The duke was anxious to be entrusted with the duty of returning this visit of courtesy and affection, a mission for which he was specially qualified; because he had been mainly responsible for bringing Madame into the negotiations, and he had been induced by Madame to enter into some kind of reconciliation with Arlington.

¹ See *supra*, 336-7.

² The duchess of Orléans died within about eight days after her return to France from Dover

Louis agreed to play his part in the comedy. He interviewed Buckingham early in August, talked of his passionate desire to combine with Charles against the Dutch, and then instructed Lionne to draw up a treaty embodying his desires, adding that he would insist on Charles appointing the duke to command the English expeditionary corps. Louis was interested in Buckingham, whom he regarded as a typical English aristocrat; and at parting he gave him a present of 10,000 livres for his paramour, the countess of Shrewsbury.¹ George returned with this draft of the treaty, specially intended for him, and to a less extent for Lauderdale and Ashley; and Charles was pressed to expedite the conclusion of the 'Protestant' version of the alliance, since Louis wished to commence hostilities early in 1671. At the same time Charles (somewhat unnecessarily) was again adjured not to avow his Catholicism before the declaration of war, since that would have a bad effect on the German Protestant princes whose support was being sought.

Delays in the completion of the bogus treaty helped to confirm the impression of its genuineness. The three Protestant members of the Cabal insisted on better terms; in particular, they demanded Goeree and Woorne in addition to Cadsand and Walcheren; and when Colbert de Croissy found Charles ready to support this demand of his uninformed ministers, he must have felt, as had some of his predecessors, that the English were indeed 'drôle'. Arlington's natural indecision on these points confirmed Buckingham's opinion that his colleague was a knave as well as a fool. At last Louis consented to give up Goeree and Woorne; and so conquests which he had not yet made were disposed of in a treaty set on foot mainly to keep Buckingham out of mischief. But most enigmatic of all was Charles's conduct as a prospective convert. His religious zeal seemed suddenly to have cooled, and he declined Louis's offer to negotiate with the Papacy through a French prelate, as he would rather have an English intermediary. When Colbert de Croissy pressed the conclusion of the business by the method of Charles's own choice, a fresh objection was found: namely, the pope (Alexander VII) was old and ill; consequently it would be impolitic to entrust such an important secret to a moribund pontiff.² Throughout these

¹ *Mignet*, iii. 221-2.

² *Ibid.* iii. 237-42.

difficulties and delays the French monarch showed a patience and forbearance to which his biographers have not yet done justice.

Misunderstandings were not ended until December 1670 when at last (Dec. 21/31) the bogus treaty was signed on behalf of France by the French ambassador, and of England by all the members of the Cabal. Its terms were identical with those of the secret treaty except that the clause relating to the king's conversion was omitted; the payment on behalf of the 'Catholicité' was transferred to the first year of the annual subsidy for the war; Goeree and Woorne were added to the English share of Dutch territory, and the date for the declaration of war was fixed for the spring of 1672. Louis was anxious that the simulated treaty, as soon as sealed, should be annulled by a secret declaration signed by the two kings and the negotiators of the original treaty; but Charles, knowing the additional advantages secured for him in the bogus instrument, refused his assent, on the ground that the latter was the only agreement to which he could give public effect.¹ He undertook, however, to sign a declaration that the two millions accorded in the secret treaty were solely for the conversion, so that he could not claim this money in addition to the composite sum granted in the public document.² Thus, at the moment when Louis had accomplished what was apparently a great stroke of policy, there was a certain amount of obscurity in the conditions imposed on his tributary state; for there were two treaties, both valid; the first subsidizing Charles for his conversion, payment for which was to be made at a definite time, but the date of conversion was left to the discretion of Charles; while in the second treaty the reference to the conversion had to be omitted altogether, and its price was transferred to the first year of the annual subsidy for the war. On this important point of Charles's defection to Rome, and with it the hoped-for conversion of England, Louis was committed to pay the money; but Charles was not so clearly bound to fulfil his obligation, since the vagueness of his promises in the first treaty was capped by his complete silence in the second.

A more serious criticism of the treaty, from the *French* point of view, is that Louis thereby enlisted English help not for the main

¹ *Mignet*, iii. 255.

² *Ibid.* iii. 266.

object of his policy (to dismember the Spanish Empire), but for a secondary and subsidiary object, inspired not so much by high policy as by personal resentment, namely, to humiliate the Dutch. It is true that, if he annihilated Holland, Louis might more easily lay his hands on the Spanish Netherlands, but in view of the immense superiority of his army this was not necessary, a fact which had already been demonstrated in the campaigns of 1667; consequently, the Dutch war did not hold an essential position in the logical development of French designs. But it was otherwise in English policy. The first two Anglo-Dutch wars had left undetermined the question of maritime supremacy; and in 1665 Louis had been convinced of the danger to France that one of the sea-powers might obtain a definite superiority, so convinced indeed that he had exerted all his skill to prevent these powers seeking a decision.¹ Now, however, in 1670 his feelings towards the Dutch were so bitter that he was willing to pay England to join with him against them; though it was obvious that, until France was powerful enough at sea to challenge the two maritime powers, the defeat of one of these must redound to the advantage of the other. The attack on the Dutch, therefore, was a dangerous diversion in French diplomacy, but a perfectly legitimate development in English policy. Its execution did much to diminish indirectly the menace of Dutch rivalry, and so helped to make possible the great commercial and maritime expansion of England in the last decades of the seventeenth century. Without that development Chatham could never have challenged the Bourbons. That this initial advantage was obtained with the help of French money at the expense of a small state is the reason why Charles's conduct has always been unpopular in England, where considerations of policy are frequently subordinated to considerations of decency. Charles's guilt lay in this, that from Louis's ardent piety he obtained money; his merit, in that from Louis's indignation against the Dutch he obtained an advantageous offensive alliance against the commercial rivals of his countrymen; his skill, in obtaining a double set of terms, in both of which the obligations of France were clear, while his were easily capable of dispute. Adopting the methods of his French partner, he showed that he could beat him in a game which, by general

¹ See *supra*, 324.

consent of historians, is regarded not as a test of immorality, or low cunning, but of supreme intellectual ability.

When the two Houses met again on October 24, 1670, for their resumed ninth session, they were treated to a lengthy review of the state of foreign affairs by lord chancellor Bridgeman, in which credit was taken for Charles's participation in the Triple Alliance, 'which league produced that effect that it quenched the fire which was ready to set all Christendom in a flame'. Reference was also made to treaties into which England had entered with Savoy, Denmark, and Spain.¹ Attention was then drawn to the increasing maritime development of both Holland and France. Since 1660 the average annual cost of the English Navy had amounted, according to Bridgeman, to £500,000; a sum of £800,000 would be required to equip a fleet adequate for English commitments, or capable of contesting supremacy with our rivals.² The Commons responded with surprising alacrity. They granted a subsidy estimated to yield £800,000 to be raised by a levy on incomes and on personal and real estate;³ an additional Excise on beer and ale,⁴ and a new tax (for nine years) on proceedings at law.⁵ Throughout the winter of 1670-1 this concord between legislature and executive was maintained; but on March 10, 1671, an ominous note was sounded when both Houses presented a petition against the growth of popery, which was attributed to the great numbers of priests and Jesuits frequenting London and Westminster, and to the laxity with which the law was administered.⁶ Meanwhile the Bills of Supply had passed both Houses but had not yet been presented to the crown. Charles, now sure of the supplies, sacrificed the Catholics. He

¹ The treaty with Savoy (Sept. 9/19, 1669, *Dumont*, vii, pt. i. 119-20) granted entry for English ships into the Mediterranean port of Villefranche. The treaty with Denmark (Nov. 19/29, 1669, *Dumont*, vii, pt. i. 126-30) bound each party to assist against the other's enemies. The treaty with Spain, sometimes known as Godolphin's Treaty, was signed at Madrid on July 8/18, 1670 (*Dumont*, vii, pt. i. 137-9) and was intended to stop the depredations of both English and Spanish in American waters. Each country undertook to disavow piracy, to cease issuing letters of reprisal, and to open its harbours to refugees from pirates and storms. See *infra*, ii. 667.

² *L. J.* xii. 352-3.

³ 22-3 Car. II, cap. iii. For the taxes generally see *infra*, ii, ch. xii.

⁴ 22-3 Car. II, cap. v. It was for six years.

⁵ *Ibid.*, cap. ix.

⁶ *C. J.* ix. 205-6; *L. J.* xi. 440-52.

appeased his parliament by a proclamation¹ requiring all Jesuits and Romish priests to leave England before May 1, 1671, and ordering all judges to put into force the laws against popish recusants. This was a curious commentary on the secret treaty which he had just signed. Having obtained this concession in return for their supplies, the Commons then threw their energies into a dispute with the Lords on their right to amend Money Bills.²

These events were of some importance in the evolution of Charles's policy. Hitherto, the intolerance of the Commons had been directed against the Dissenters, and in that intolerance Charles had been obliged to acquiesce; but meanwhile the secret inclinations of the king and the ardent propaganda of the duke of York had encouraged the activities of priests and Jesuits in high places, where their presence was bound to be noted; and moreover, the comings and goings between France and England had raised a crop of rumours, though the secret was still well kept. The Commons' address against Papists had served to impress on Charles the necessity for coming to a decision. Hitherto he had yielded in order to obtain supplies; but even thus the supplies were insufficient to enable him to pay his creditors; and there was now a prospect that parliament would force him to sacrifice not the Dissenters, but the Papists, in return for such inadequate grants. So on April 22, 1671, he thanked the two houses for their votes, assuring them that the money would be spent in paying his debts;³ and by successive prorogations he suspended their meetings until February 4, 1672-3. In the interval of nearly two years he committed acts which had a profound reaction on the fate of his dynasty and the history of his country.

The determination of personal responsibility for these acts is one of peculiar difficulty, because Charles was as much at the mercy of his friends as of his enemies, and he preferred to arrive at his objective by indirect means. The most pressing question was the debt of his administration, amounting to about two million pounds, and the inevitability of bankruptcy unless some new source of income were added to those originally assigned to him by parliament. As an offset against this, there was the sum

¹ *Steele*, i. 3545, Mar. 23, 1671.

² *Infra*, 471-2.

³ *L.J.* xii. 516.

to be paid by France to support his conversion to Catholicism, irrespective of when he avowed his Catholicism; and the promise of subsidies for a war which, it might well be supposed, parliament would approve and consequently support. Louis XIV had been convinced of Charles's religious zeal, and he had undertaken to pay the money not only in order that Charles should become a Catholic, but that he might restore Catholicism in England, by force if necessary, with such toleration for Protestants as was then considered due to them by established Catholic monarchs—that is, none.¹ Catholicism, as understood by European rulers, was not merely a system of personal beliefs, but a theory of government, based on tradition, order, and effective control; of this system Protestantism seemed the negation. Charles, as much as Louis, was convinced of this fact. He was pressed by the duke of York, and to a less extent by Clifford, to take the plunge, and, beginning with the avowal of Catholicism, to restore all of the royal prerogative that had been usurped by parliaments. Ever since the fall of Clarendon he had ruled by ministers fundamentally opposed in temperament and policy to the emphatically expressed wishes of the Commons; and there was every reason to think that, if he took the decisive step urged by his brother and paid for by his cousin, he would carry with him the support of the Cabal. A revolution might therefore very well have taken place in the years 1671–2. In that period parliament did not meet, and Charles was being asked not to do something novel, but to restore the traditional faith, to resume the old prerogative, to eliminate an institution which had proved the bane of his House, and bring England into line with the respectable Catholic monarchies of the Continent.

Had James been king, the revolution would have taken place. But Charles possessed intuition, which often served him better than the combination of industry and cleverness which wins admiration for monarchs. He was enough of an Englishman to realize that the country could not be ruled on the French pattern; moreover, he well knew that the debauchery of his own Court was not a true index of the state of England. Though pressed by friends and confidants he remained solitary among them all, committing his real thoughts to neither memoirs nor relatives,

¹ The Huguenots were still tolerated in France, but this ceased in 1685.

and deluding even his paramours into a belief in their influence. So he put off the declaration of his Catholicism indefinitely, knowing, as few of his advisers knew, the dangers of such a declaration; and he attempted a compromise for which there seemed a reasonable hope of success. When that compromise failed, he extricated himself with a quickness and dexterity which confounded his associates.

The middle way consisted in making active preparations to carry out one half of the bargain with Louis—that of the war with the Dutch; while, as regards the other half, he proposed to exercise a power supposed to be still inherent in the prerogative because never definitely surrendered; namely, that of suspending the enforcement of statutes where the forfeiture or part of it was the king's. At this time nothing in English law was 'more loose and disprincipled' than the suspending and dispensing power.¹ These were among the prerogatives of early kingship; but medieval thought had introduced the distinction that the king could neither suspend nor dispense with the laws of nature and the laws of God. Hence the distinction of *mala prohibita* and *mala in se*. Then came the additional complication—the ecclesiastical supremacy as defined in the reign of queen Elizabeth, which seemed to extend this residuary power of the crown; but Coke tempered it with the new doctrine that the king could not dispense with statutes relating to religion. By this time, the distinction between *mala prohibita* and *mala in se* had, as lord Guilford said, been reduced to a skeleton, since no two periods of history would be found in agreement regarding the categories of offences to be comprised in this distinction.

The earlier opponents of the prerogative such as Eliot had made much of the 'law of nature', by which inborn reason determines what is honest and what dishonest. Consequently, the king could not break his contracts; hence also, the royal rights of abrogation would apply only to civil laws, and not to those 'in which there is a divine and natural right';² in other words, the

¹ *Add. MS.* 32520, f. 3. Lord Guilford's papers. For a discussion of the dispensing power in ecclesiastical matters see E. F. Churchill in *Law Quarterly Review*, xxxviii, July and Oct. 1922. See also, for a good account, Holdsworth, *History of English Law*, vi. 217-25.

² Sir John Eliot, *De Jure Majestatis*, in *Works* ed. Grosart, i. 97.

king could suspend or dispense only where neither religion nor private property was concerned. But as natural rights appeared to have died a natural death at the Restoration, there was this to be said for the suspending and dispensing power, that neither in statute nor in common law did there exist anything very definite against their exercise. The first had hardly been used by Tudors or early Stuarts, but the second had frequently been invoked, and appeared to be limited only by the decision in the *Case of Monopolies* (1602) that a dispensation to defeat the spirit of an Act of Parliament was void. At the Restoration, such wide powers were attributed to the crown that it was thought possible to obtain revenue by granting toleration to those who would pay for licences, or compound for fines; indeed so natural seemed this assumption, that the committee for assessing Charles's revenue had made an estimate of how much might be derived from this source.¹ But as soon as Anglicanism was firmly established, it was found impossible to confirm the king's dispensing power by Statute;² accordingly, as the legislature refused to come to its aid, the crown would have to fall back on those older rights, the existence of which was tacitly recognized by the Commons themselves when they insisted on the insertion of the word 'nuisance' into the Bill prohibiting Irish cattle; for it was generally accepted that the king could not dispense with a law prohibiting a common nuisance. By exercising a branch of the power thus indirectly recognized, the crown only would suffer, since the forfeitures would be sacrificed; by a general suspension of the penal laws, Dissenters would benefit as well as Papists, and so there might be a large measure of popular support. The experiment, therefore, seemed worth trying. But it is evidence of the great advance or change in English opinion that what might have been effected with profit in 1660 could not be effected gratuitously in 1672.

Accordingly, on March 15, 1672, Charles issued his Declaration of Indulgence wherein, on the authority of his supreme power in ecclesiastical matters, he suspended the execution of all penal laws against nonconformists and recusants. The Declaration secured Roman Catholics from molestation provided they worshipped in their own houses, and allowed the dissenting

¹ See *supra*, 157.

² For the Bill of 1662-3 see *H.M.C. Rep.* vii, app. 167-8.

ministers to worship in public provided they obtained a licence.¹ Two months earlier (Jan. 20) had occurred the Stop of the Exchequer;² and so in the earlier months of 1672 Charles's government, already in partial bankruptcy, was staking everything on the last card of war against a Protestant power. Herein was the difference between the Second and the Third Dutch War. The former was waged at the solicitation of parliament on behalf of the mercantile interests, and might therefore be called national; the second was little more than a gamble, with Catholicism as one of the stakes.

With such dubious preliminaries Charles proposed to carry with him into the Third Dutch War a nation still mindful of the shame of the Medway, and resentful of Dutch prosperity, but now awakened to a suspicion of the real drift of royal policy. Before war was declared, the Dutch, thanks to French diplomacy, were surrounded by a ring of enemies which included the elector of Cologne and the bishop of Münster. The Emperor was neutral; the Swedish nobles were bribed to undertake an attack on any German prince coming to the help of the Dutch. Only to Spain or Brandenburg could Holland look for assistance. French money had secured this position that, whether from expectation of future rewards or from jealousy of each other, no combination against France seemed possible of formation, and whatever Louis could not win over he had sterilized. It remained only for his ally to find some plausible pretext for declaring war. In the summer of 1671 Temple was recalled from The Hague, and as the yacht *Merlin* conveying lady Temple passed through a Dutch fleet, the English captain fired because he was not saluted. Here was the required pretext. In December Downing 'le plus grand quercelleur de la diplomatie britannique'³ was sent to The Hague with orders to insist that the Dutch should lower their flag in the presence of even a single English warship. The reply of the Dutch was conciliatory; they would adhere to the

¹ For nearly a year these licences were issued. The number granted to Presbyterians was 848, to Independents 368, to Baptists 201; altogether more than 1,500 licences were issued. Many of the imprisoned, including about 500 Quakers were released. *Cal. S.P. Dom.*, 1672-3, xxxvii-lx; F. Bate, *The declaration of indulgence*, 79 sqq.; W. C. Braithwaite, *The second period of Quakerism*, 81-6.

² *Infra*, ii. 448-9.

³ Quoted in *Mignet*, iii. 604.

treaty of Breda which bound them to salute English ships, but not single English ships; nevertheless they were willing to discuss some regulation for avoiding confusion.¹

As the *Merlin* incident failed to produce the required effect, stronger measures were resorted to. Early in March 1672 Holmes, with an inadequate force, was ordered to intercept off the Isle of Wight the large Dutch Smyrna fleet which was escorted by eleven warships. Holmes carried out his instructions, and engaged in a running fight on the afternoon and evening of March 12; but though he made a few captures, his own ships were so badly disabled that he had to give up the attempt. This seemed good enough, so on March 17, 1672, two days after the issue of the Declaration of Indulgence, the English government declared war on the States General.

¹ *S.P. For. (Holland)*, 188. Boreel to Charles II, Jan. 28/Feb. 7, 1672.

X

THE THIRD ANGLO-DUTCH WAR, 1672-4

At the moment when war was declared neither of the aggressors thought that hostilities were likely to be prolonged; for the Dutch must, it was thought, succumb to the joint naval and military offensive launched against them. Louis XIV professed that the war was a semi-divine punishment on a recalcitrant race; to Charles, the episode was part of a personal bargain, the execution of which was not without advantage to his subjects; to the Dutch, the war brought disaster, revolution, and a heroic struggle for national existence.

The terms of Anglo-French naval co-operation were formulated¹ on February 5, 1672. It was arranged that at least 30 French warships and 8 fireships were to fit out at Brest so as to join the duke of York by April 25 as the White squadron, its precedence to be immediately after the Red, which together with the Blue was to comprise at least 50 English ships. Facilities for repair and refit of French ships were to be provided at English ports; interchange of intelligence was to be effected by means of fast frigates. Supreme command was entrusted to the duke of York, flying his flag in the *Prince* (100 guns), having as his immediate subordinate the French vice-admiral D'Estrées, whose renown originated from land exploits.² Serving under D'Estrées was Duquesne, between whom and his chief there was rooted antipathy. On the English side there were several notable officers, such as Sandwich, admiral of the Blue (*Royal James*), sir Joseph Jordan (*Sovereign*), sir John Harman (*Royal Charles*), sir John Kempthorne (*St. Andrew*), and sir Robert Holmes (*St. Michael*). To these allied leaders it seemed likely that the Dutch would avoid attack and take shelter behind their sand-dunes; but Charles made no secret of his belief that De Ruyter and his lieutenants were formidable antagonists, likely to take advantage of every opportunity; he suggested therefore that the

¹ In *Colenbrander*, ii. 79 sqq.

² For his character see La Roncière, *Histoire de la Marine française*, v. 540-51.

French ambition of boarding enemy vessels might be deferred until the enemy was in disorder.¹ On his side Louis issued instructions showing solicitude about salutes, and a desire that French sailors would prove their superiority to the English in valour.² On May 3, 1672, Charles himself inspected the French naval contingent at Spithead, where he may have noted that our allies were lacking in fast frigates, and that their smaller craft were scarcely fitted for the storms of the North Sea. Such were the auspices of Anglo-French co-operation in the Third Dutch War.

In ships, guns, and men the French and English had a clear superiority over the Dutch, for together they had about 98 war-ships to the enemy's 75; the former carrying 6,000 guns and 34,000 men, while the enemy strength was 4,500 guns and 20,000³ men. So far from being alarmed at the size of the forces arrayed against them, the Dutch, from their experience of the French, thought that England would derive little help from her associates; some indeed thought that they would prove an embarrassment rather than a help. Dutch preparations were at first impeded by difficulty in securing effective co-operation with the Zeeland contingent; but under De Ruyter's command there was eventually attained a greater unity of action than had been possible in the preceding war, and the dramatic events which followed in quick succession gave to the Dutch defence a unity and heroism which the combined forces of England and France could not break.

The immediate tactical object of De Ruyter was to fall on the English fleet before its junction with the French, for which purpose he cruised, late in April, between Sole Bay and the North Foreland. Failing to meet with enemy ships he entered the Channel, but could not proceed far owing to contrary winds and fog. He then sailed to the Flemish coast in the hope of luring the enemy there. There was even talk among the Dutch of repeating the attack on the Medway, but this was abandoned when it was learnt that Sheerness was well defended.⁴ Mean-

¹ La Roncière, *Histoire de la Marine française*, v. 531-2.

² Instructions to D'Estrées, March 4, 1672, in *Colenbrander*, ii. 85.

³ Clowes, *The Royal Navy*, ii. 301, and De Jonge, *Geschiedenis van het Nederlandsche Zeevesen*, ii. 286.

⁴ Blok, *De Ruyter*, 318-19.

while, having joined forces at Spithead on May 3-4, the allied fleets put to sea, and on the 19th came upon De Ruyter off the coast of Zeeland. The enemy tacked towards the land, followed closely by the allies, but a thick fog next day prevented the fleets coming to action. As fresh water was running low, English and French put into Southwold Bay (Sole Bay) on the Suffolk coast.

On May 27, when the wind came easterly, Sandwich advised putting to sea lest they might be caught on a lee shore; but this advice was overruled by the duke of York, who thought that the Dutch were intent on hiding behind their shoals. Next day the wisdom of Sandwich's opinion was verified; because at 2.30 a.m., while the duke's ship was still on the careen, firing was heard to windward, and scouts brought news of the approach of De Ruyter. This took the allies by surprise. The wind was now east by south, and the combined fleets were anchored parallel with the shore, the French (the van) being to the south, and the rear (Sandwich) to the north. Having righted his ship the duke ordered the fleet to weigh, and by sunrise he could see the enemy ships bearing north-east from him.¹ As the allies stood north to engage (in some disarray, for all the ships had not yet joined) the French van became the rear—a fact which may have had some influence on their subsequent conduct. The Dutch, sailing on the starboard tack, were in two divisions, line abreast; the advanced division consisting of about 18 units, followed by the main fleet in three squadrons, commanded by Van Ghent (right), De Ruyter and Van Nes (centre), and Banckers (left); their total armament amounting to 61 capital ships, 14 frigates, 22 scouts, and 32 fireships.² De Ruyter, accompanied by Cornelius De Witt, flew his flag in the *Seven Provinces*.

By 6 a.m. the Blue and the Red were engaged with Van Ghent and De Ruyter respectively, all sailing north-north-east, parallel with the coast, the allies not yet completely recovered from the disorder of their sudden departure. D'Estrées's instructions from the duke were 'to keep his wind as much as possible'; but for some reason he disobeyed this order by putting round to the

¹ The duke of York's account of this battle is in the Pepysian Library, MS. 2873, f. 137 sqq. See also Clarke, *Life of James II*, i. 463 sqq.

² Clowes, *op. cit.* ii. 303, and Blok, *op. cit.* 321.

port tack and sailing south-east by south, on which course he was followed by Banckers and a portion of the Dutch left. Subsequent recrimination with his captains did not help to redeem D'Estrées's conduct, and though some of his ships fought well in this battle, the French contingent did not have the chance of justifying the hopes of their king that they would prove superior in valour to the English.¹ It was an early demonstration of the value of the French alliance.

Meanwhile English and Dutch were hammering it out with a ferocity of which earlier conflicts had given ample evidence. As the Dutch were to windward and had a large supply of fire-ships, the duke, to prevent panic, ordered that no man should mention the word fireship, and that notice of the approach of one should be referred to only in a whisper.² De Ruyter chose York's flagship as the special object of his attack, and came up so close that he seemed determined to board her; but changing his mind he luffed, and directed his energies to disabling the English ships as a preliminary to burning them. By the time, however, that he was ready to use fireships the wind had dropped so much that they had to be towed, and were then beaten off without difficulty. But with De Ruyter on her bow and Van Nes on her quarter the plight of the royal flagship was soon desperate; by 10 a.m. her rigging had been shot away and 200 of her crew killed, so that the duke had to shift his flag to the *St. Michael*. When close to the sand-banks off Lowestoft the *St. Michael* had to put about, and on her port tack to the south-east was obliged to pass through the gauntlet of the Amsterdam squadron to windward and De Ruyter to leeward, whereupon several third- and fourth-rates 'very seasonably' got ahead of her, and with five feet of water in her hold the new flagship just managed to keep afloat. Simultaneously, the contest between Sandwich (*Royal James*) and Van Ghent (*Dolphin*) was being fought to a finish. The Dutch admiral was killed; the *Royal James*, set on fire by a fireship, blew up, leaving hundreds of her crew struggling in the water, many of whom were rescued by the *Dartmouth*. Sandwich, who had fought magnificently, got away from his sinking ship in an overcrowded rowing boat,

¹ For the French account see La Roncière, *op. cit.* v. 535 sqq.

² Clarke, *op. cit.* i. 465.

but it capsized, and he was drowned. Several days later his body was recovered and given burial in Westminster Abbey.¹

The heroic resistance of Sandwich and the death of Van Ghent served for a time to put the Dutch out of action, thus enabling what remained of the English Blue to come to the support of the Red in the fight with De Ruyter. At 5 p.m. sir R. Holmes informed the duke that the *St. Michael* could no longer remain in the line, so the royal commander-in-chief transferred his flag again, this time to the *London*, taking an hour to row from one ship to the other. By 6 p.m. when some kind of formation had again been resumed, both fleets stood south in order to join with the roving D'Estrées and the hovering Banckers; but by dusk the fight was at an end, and both fleets returned to their coasts. De Ruyter confessed that this was the most obstinately contested battle in his experience.

Like most drawn battles, that of Sole Bay was claimed as a victory on both sides.² It had been marked by great feats of gallantry, and by heavy losses in men and ships, the English casualties being estimated at 2,500 men.³ De Ruyter had added to his laurels by skilful handling of the weaker side; but earlier in the fight he had not fully utilized the advantage of the weather gage, nor had his fireships (of which 11 were destroyed) done all that was expected of them. The action was decisive, however, in this sense that it prevented the English from obtaining mastery of the North Sea, and so made a landing on the Dutch coast a very problematic enterprise. Had the Dutch been completely defeated, the war might have come to an end at this point; for they could not have withstood disaster on both flanks; it was therefore her sea-power that preserved the independence of the United Provinces. For France, the battle served as an apprenticeship in the art of naval warfare;⁴ for England, it accentuated that hatred of the French which was soon to supersede dislike of the Dutch.

¹ F. R. Harris, *Sandwich*, ii, chs. xv and xvi.

² According to the Dutch account they had lost three men-of-war, 1,700 men, and about 900 mortally wounded. Seven of their ships had to be towed in. They had fought the English on their coast, and the enemy had gone away from them (Major Scott's news from a Zeeland deputy, in *S.P. For. (Holland)*, 189, June 3).

³ Clowes, *op. cit.* ii. 308.

⁴ La Roncière, *op. cit.* v. 534.

The battle coincided with the launching of a devastating attack by Turenne and Condé. On May 30 Louis XIV crossed the Rhine; the province of Utrecht was speedily evacuated, and Over Yssel was occupied by the combined troops of the duke of Luxemburg, the elector of Cologne, and the bishop of Münster. From Bodegrave the prince of Orange maintained a persistent defence with small detachments of troops; but the States General were forced on June 16 to ask Louis on what terms he would grant peace. So humiliating, however, were the terms proposed that, desperate as was their plight, the States refused them. Yielding to the popular demand, the States General rescinded the edict of 1667 whereby the Stadholderate had been abolished; and on June 30 the prince took the oaths as Stadholder of Holland and Zeeland. Within a few weeks the De Witt brothers were assassinated and for a time Orange dictatorship was superimposed on the burgher federalism of the Dutch.

These events quickly following on each other produced a complete change in the diplomatic situation. Having survived the first shock of the attack, and having set their house in order, the Dutch were now concentrating on the maintenance of an obdurate resistance, and the breaking down of the diplomatic isolation in which the activities of Louis had placed them. At first, even Charles failed to keep pace with events; for he was still thinking in terms of the secret treaty of Dover. He made a bid for the retention of Spanish neutrality by confiding to the queen of Spain his secret intention of avowing the true faith and restoring it in England,¹ while to Colbert de Croissy he intimated that he was about to send a priest to Rome for definite advice regarding the 'Catholicité', towards which pious object he hoped the French clergy would be willing to make a contribution.² Thus, while his contemporaries were thinking of little else than guns and offensive treaties, the king of England was trying to extract still more juice from the over-ripe orange of religion. But suddenly the overthrow of the two De Witts and the advancement of his nephew opened up a new possibility, since negotia-

¹ *Aff. Étr. (Angleterre)*, 103, f. 138. Colbert de Croissy to Louis XIV, March 14, 1672; quoted in V. Barbour, *Arlington*, 188.

² *Aff. Étr. (Angleterre)*, 103, f. 213. Colbert de Croissy to Louis XIV, May 9, 1672; quoted in V. Barbour, *Arlington*, 188.

tions might, he thought, be concluded with William, profitable to both parties and not unacceptable to Louis. By such negotiations Charles would keep the British public 'amused' by hopes of peace, and so prevent demonstrations in England against the French or in favour of the Dutch.

Buckingham was an obvious tool for this enterprise; with him was coupled Arlington, whose devotion to Charles sometimes outran his discernment. These two were commissioned on June 21 to treat for a peace with 'the States General or any other princes and states concerned in the present war'.¹ The bases on which the commissioners were empowered to treat included (1) recognition of England's claim to the salute, (2) payment of a subsidy for war expenses, (3) the cession of cautionary towns such as Flushing, Sluys, and Brill, with a subsidy for maintenance of garrisons there, (4) favourable conditions for the prince of Orange, (5) an annual subsidy for the herring fishing, (6) adjustment of trade in the East Indies, and (7) a year's grace for the departure of Englishmen from Surinam.² With these instructions the plenipotentiaries landed at Maeslandsluys on June 23, where they were met with shouts of 'God bless the king of England, God bless the prince of Orange, and God confound the States', and there they witnessed scenes reminiscent of the burning of the Rump. Proceeding with his colleague to the prince's camp, Buckingham attempted to dazzle that youth with hopes of sovereignty under English and French patronage, the alternative being annihilation;³ but these threats made little impression on the hard-grained Stadholder, who had already inaugurated his life-long campaign against Louis XIV. After this failure, they proceeded to Louis's camp near Utrecht, where they concluded the treaty of Heeswick, whereby England and France undertook not to treat with the Dutch except on conditions which, for France, were identical with those already rejected by the States and, for England, were similar to those enumerated in the original instructions to the two plenipoten-

¹ Instructions quoted in *Colenbrander*, ii. 141 sqq.

² Surinam in Guiana. It had been restored to the Dutch by the treaty of Guiana.

³ Monmouth, Buckingham, and Arlington to Clifford, June 24, in *S.P. For. (Holland)*, 189.

tiaries. These combined terms were forwarded to the prince of Orange, who communicated them to the States General, by whom they were rejected; this public refusal was dispatched to the English envoys as the prince's reply to their offer. Arlington and Buckingham next proceeded to Antwerp, where they attempted, by threats of war, to bully the Spanish viceroy into neutrality, under-estimating the Spanish sense of honour, as they had already under-estimated the Dutch pride of independence.

Thus the English embassy had failed in its mission, and Charles remained committed to a war becoming every day more unpopular. The turning-point came early in July 1672 when a storm dispersed from the Texel an allied fleet which was awaiting an opportunity of putting ashore a landing party. Meanwhile the French army, dispersed over scattered garrisons, could attempt nothing decisive in what remained of the summer of 1672, and was forced to sit still in the hope that winter frosts would make possible further penetration into Holland.

As the time for the autumn session of parliament approached, the cleavage of opinion among Charles's advisers became more acute. Arlington, now aware of the realities of the situation was anxious for peace, knowing as he did that the war was unpopular, and that English demands would have to be moderated. Even more, he realized that the Dutch were certain to make the most of the difficulties likely to be created by parliamentary criticism of the war.¹ That these fears were well grounded was shown by the visit to England in January 1673 of two Dutch agents Gerbrandt Zas and William Arton, who were commissioned to investigate and influence opinion in England. They were sent to the Tower as spies,² and the suspicion that they were in the pay of William of Orange served to demonstrate that the prince was not likely to be detached from his countrymen by a separate Anglo-Dutch peace. An empty treasury and Louis's refusal to grant a loan (in addition to the subsidy) reduced Arlington to the impotence of despair. In Clifford, now lord treasurer, and other survivors from the Cabal, Charles found more buoyant supporters; so when parliament eventually did

¹ V. Barbour, *Arlington*, 200.

² They were tried by a special commission and ordered to be shot. *P.C. Reg.* 63, Feb. 15, 1673; also *Cal. S.P. Dom.*, 1672-3, 428, 483-4, 605.

meet (Feb. 4, 1672-3), Charles, having declared that he was resolved to adhere to his Declaration of Indulgence, boldly demanded a supply. Shaftesbury followed suit with his famous *Delenda est Carthago* speech, which was intended to persuade the Commons that this war like its immediate predecessor was their war. 'The States of Holland', he declared, 'are England's eternal enemy both by interest and inclination.' Still ignorant of the secret treaty of Dover, he waxed eloquent on the king's concern for Protestantism, and repudiated the insinuation that the forces raised for the war were to be directed against the liberties and property of Englishmen. The chancellor gave to parliament his verbal guarantee that English institutions were absolutely secure.¹

The Commons concerned themselves at first, not with the great issues raised in the speeches of king and chancellor, but with a violation of their privileges. During the vacation Shaftesbury had issued writs for the election of thirty-six members to fill vacancies created in the prorogation of nearly two years. Eight of these were in Dorset, where his family influence was strongest; and there was good reason to suppose that, here as elsewhere, the chancellor had used his connexion in order to obtain fresh supporters for the Court. Having first unseated the thirty-six members so elected, the Commons affirmed the principle that the issue of writs rested solely with their House.² They then (Feb. 17), somewhat to the surprise of the court, voted an eighteen months' assessment of £70,000 per month, a vote sufficient not only for securing a peace, but for continuing the war. But before proceeding further with this tempting bait, the Commons took up that part of the king's speech where Charles had declared his policy to be unchangeable—the Declaration of Indulgence. They presented an address (Feb. 14, 1673) declaring that penal laws in matters ecclesiastical could be suspended only by parliament; this they coupled with a resolution to bring in a Bill of Relief for Protestant dissenters, a proposal which was narrowed in committee to 'ease for Protestant subjects that will subscribe to the doctrines of the church of England and take the oaths of allegiance and supremacy'.³

¹ *L.J.* xii. 524-6, Feb. 5, 1672-3.

² *C.J.* ix. 248, Feb. 6.

³ *Ibid.* ix. 252.

Meanwhile (Feb. 22) no answer had yet been received by the Commons to their protest against the attempt to exercise the suspending power. In debate on the question whether to press the king for a reply, a rudimentary distinction of parties was clearly demonstrated; indeed, when sir T. Meres spoke on behalf of 'a few plain, country gentlemen who, though rude and unmannerly, had as good hearts as the best of their fellow members', he was suggesting a distinction between those who were honoured with the confidence of the Court and those who were not, a distinction at once dismissed as unparliamentary by secretary Coventry, who contended that there was no reason to discriminate between the loyalty of these two sections of the House.¹ At last, on February 24, came the king's long-awaited answer to the Commons' address. He was troubled, he said, that his Declaration should be the cause of such disquiet, and that the Commons should question his power in ecclesiastical matters, a prerogative never challenged in the reigns of any of his predecessors. He made no pretence of suspending laws where the properties, rights, or liberties of his subjects were concerned; nor had he presumed to alter anything in the established doctrine or discipline of the Church of England; but nevertheless he would concur in any Bill for securing the ease of Dissenters and the peace of Church and Kingdom.²

But this did not content the Commons. They objected that the reply left untouched the question of the suspending power; and after a prolonged debate, led by sir T. Meres and sir William Coventry, they presented a second address (Feb. 26) submitting that the king's answer was not sufficient to clear any apprehensions that might remain of a royal right to suspend penal statutes in matters ecclesiastical 'wherein Your Majesty has been much misinformed'.³ A further stage towards the Test Act was reached two days later when it was resolved that all refusing to take the oaths of allegiance and supremacy and to receive the sacraments according to the Church of England should be incapable of any public employment, military or civil.⁴

For a time the storm-centre was transferred to the Lords. On

¹ *Grey*, ii. 52-3. For the name Country Party and the names whig and tory see *infra*, ii.

³ *Grey*, ii. 62.

² *C. J.* ix. 256.

⁴ *C. J.* ix. 260.

March 1 Charles addressed them¹ with a complaint of the messages he had received from the Commons, and solicited their advice. Clifford defended the Declaration in a wild speech which, in the opinion of Charles, who was present to hear it, did more harm than good to the cause of the prerogative. Of the king's advisers, Arlington alone believed that Charles would be obliged to surrender; on the other hand, Buckingham and Lauderdale advised insistence on the Declaration and dissolution of parliament. Shaftesbury had at first been of their opinion; but, always quick to detect a change of wind, he perceived that the Lords might stand by the Commons in a matter which appeared to trench on the integrity of the Church of England; and moreover, he may have been won over to Arlington's opinion by the latter's revelation to him at this time of the terms of the secret treaty of Dover. The French ambassador was in favour of Charles's withdrawal from the false position in which he had placed himself; only Clifford and the duke of York were totally opposed to compromise. Thus the issue was becoming narrowed to the alternatives of Protestantism or Revolution—Protestantism as understood by the Anglican House of Commons, and Revolution, as hinted at in the secret commitments of Charles, the purport of which could be guessed from the pages of a pamphlet, *England's appeal from the private cabal at Whitehall to the Grand Council of the Nation*, which was widely circulated in England in March 1673. This pamphlet, attributed to the authorship of one of William of Orange's paid agents, hinted at the 'liberality' of Louis XIV and its possible connexion with the displacement from Charles's counsels of men having Protestant sympathies, such as Ormonde.²

Had Charles been assured of the support of the Lords at this crisis he might have defied the Commons, but he was speedily disillusioned of his hope that the Lords would accept his invitation to join him against the Lower House; for the Peers responded to his appeal by assuring him that his answer, in referring the points in question to parliamentary procedure, was good and gracious.³ The courtesy of the answer could not conceal its

¹ *L.J.* xii. 539.

² Barbour, *Arlington*, 210. The pamphlet is in *State Tracts* (1688).

³ *L.J.* xii. 542, March 4, 1672-3.

significance. Toleration must, the message implied, come in only by a parliamentary way; the king must therefore abandon the Declaration and leave the Commons to proceed by Bill. On March 8, 1673, Charles took a step which no other male Stuart would have taken—he cancelled the Declaration of Indulgence.¹ Public rejoicings in the streets of London signalized this, the most important royal surrender of the century. A week later the Money Bill was ordered to be engrossed.

In addition to the Money Bill (i.e. an Assessment)² two measures were now before the Commons—a Bill for granting ease to the Dissenters, and another for preventing the dangers that might arise from popish recusants. The former, having been read a third time on March 19, was sent to the Lords, where it was mangled by amendments, and eventually wrecked by the prorogation of March 29. The other Bill had a very different fate. At its third reading, a proviso was accepted for a clause renouncing the doctrine of transubstantiation, in spite of secretary Coventry's indignant protest,³ 'will you exclude God?'; and with this proviso the Commons believed they had a test so watertight that not even the pope could find a leak in it. This measure, which passed both Houses and received the royal assent on March 29, is better known as the Test Act.⁴ Briefly summarized, it incapacitated from offices and places of trust under the crown all persons refusing to take the oaths of allegiance and supremacy, together with the sacrament according to the Church of England. All persons taking the oaths were required to subscribe this declaration:

I declare that I believe that there is not any Transubstantiation in the sacrament of the Lord's Supper, or in the elements of Bread and Wine at or after the consecration thereof by any person whatsoever.

Refusal to take the oaths and subscribe the declaration incapacitated not only from public office but also from the prosecution of any suit in law or equity, the guardianship of children

¹ C.J. ix. 266.

² 25 Car. II, cap. i. This was a grant of £1,238,750 to be raised by an eighteen months' assessment.

³ Grey, ii. 97, March 12, 1673.

⁴ 25 Car. II, cap. ii. Sometimes referred to as the Test Act, no. 1, in distinction from that of 1678 which imposed affirmations of religious belief on members of both Houses.

or the fulfilment of an executorship. The Act was without prejudice to the rights of peers in hereditary offices, and the drawing of pensions or salaries granted by His Majesty for valuable consideration. Incapacity extended also to Protestants by birth who brought up their children in the popish manner.

So far, therefore, as oaths and declarations could do so, the Test Act confined the privileges of full citizenship to those communicants of the Church of England who conscientiously rejected the doctrine that the elements of the sacrament were turned into something other than bread and wine by the priest's blessing; and thus office-holding was in effect confined to the public professors of both the Erastianism and the Protestantism of the Church of England. Charles must have known that it was a heavy price for the parliamentary grant; but he had little choice, and he had been pressed by Colbert de Croissy to acquiesce. It was the clearest possible repudiation of the tentative efforts at toleration which, with fluctuations, had influenced Charles's policy ever since the Declaration of Breda; moreover, its terms were formulated in such a way as to exclude the crypto-Papists. At a time when definition and authority were of paramount importance in politics and religion alike, the Test Act provided something which served both as a religious formula and a written constitution, and its maintenance came to be indelibly associated with the security of the English Monarchy and Anglican Protestantism.¹ Its strength lay in its intolerance and exclusiveness, a fact which came to be appreciated by English Catholics and Dissenters; because, in place of the shifting sands of latitude and compromise, it substituted the rock of rigid dogma, and transformed a Reformation doctrine from a spiritual conviction into a national safeguard.

The spring session of 1673 concluded in a manner which recalled the Long Parliament of 1640. On March 25 two addresses to the king were adopted by the Commons. The first was a request that no Papist should be employed as soldier or commander in Ireland; the second was that the proclamation² of December 4, 1672 might be withdrawn, because its provisions for dealing with disorders committed by soldiers appeared to exempt them from the ordinary course of justice.³

¹ For this see *infra*, ii. 516-17.

² *Steele*, i. 3576.

³ *C. J.* ix. 276-7.

Complaints of abuses in the pressing and billeting of soldiers, and the demand that all soldiers should be immediately disbanded on the conclusion of hostilities, revealed the nature of the fears prompting the address. These requests, which were not presented as conditions preceding supply, met with Charles's non-committal answer that he would consider them, and that before their next meeting he would take care that no man should have reason to complain. There then followed (Mar. 29) a debate on whether these addresses should be printed. Secretary Coventry compared the practice to the Remonstrances of the Long Parliament; sir Richard Temple condemned the proposal as an appeal to the people; while Mr. Swynfyn thought that they should be printed 'in order that a countryman should have something to show'.¹ It was eventually recognized that the Licensing Act made the proposal impracticable. In the afternoon, while the Lords were still debating amendments to the Bill for ease of Dissenters, the king came to the House and passed eight public Acts, including the Money Bill and the Test Act. The remaining six included an Act which, when received from the Lords by the Commons, had been passed with some demur, a Bill for a general pardon of all crimes, including high treason, murder, and perjury, not otherwise excepted, before and up to March 25, 1673.² Parliament was then adjourned to October 20, 1673. Thus, though Charles had been forced to yield to the Commons in the matter of the suspending power, he had nevertheless secured an unexpectedly liberal supply; and he had obtained a measure of legal immunity for the advisers who had co-operated in his secret policy.

The immediate result of the Test Act was that the duke of York had to retire from public life (June 1673); the office of lord high admiral was put into commission, and the command of the fleet was entrusted to prince Rupert. Ormonde was again admitted to a share of the king's confidence, though he remained out of office until 1677. Churchmanship, stability, and respectability—these were now the requirements of statesmanship. Arlington, Buckingham, and Shaftesbury had to be retained as ostensible representatives of Protestantism, but their tenure was precarious; for the versatility of the first two made

¹ *Grey*, ii. 174-6.

² 24-5 Car. II, cap. iv.

them suspect to the Commons, and the gyrations of the third were beginning to trouble Charles, not because they were gyrations, but because they were always explained on the ground of high principle. As events forced Charles to work with ministers rather than conspirators, he quietly adapted himself to the change, accepting parliamentary domination under compulsion, but still intent on that system of government in which neither parliament nor public opinion had any place.

These few weeks of parliamentary activity in the spring of 1673 clearly reflected the strange conflict of fear and impulse through which England was passing. There still remained the old commercial jealousy of the Dutch, but it was yielding to hatred of aggressive France. There was the public policy of Charles, ostensibly national because anti-Dutch; but there was increasing suspicion of the secret policy, which subordinated Whitehall to Versailles. Concern for Protestantism was intensified by our war against a state where the Protestants were in a majority, especially as we were joined with a Catholic ally; but were the Dutch so very religious?

What injuries soe'er upon us fall,
Yet still, *the same religion* answers all;
Religion wheedled you to civil war,
Drew English blood, and Dutchmen's now would spare;
Be gulled no longer, for you'll find it true,
They have no more religion, faith, than you.¹

It was characteristic of this confusion that two entirely different policies were pursued. On the one hand there was propaganda, assisted by secretary Williamson, for the purpose of inciting hatred of the Dutch. The government appears to have supplied information for Henry Stubbe's *Justification of the present war against the United Netherlands*.² Marvell's sarcastic *Character of*

¹ Dryden, prologue to *Amboyna*.

² This may be the book which was licensed by express order from Arlington (*Cal. S.P. Dom.*, 1672-3, 629). For Stubbe's communications with Williamson see *Cal. S.P. Dom.*, 1672, 284, 319, 323. It is noteworthy that Stubbe drew up an *Enquiry into the spiritual supremacy of the kings of England*, but this does not appear to have been printed (*Cal. S.P. Dom.*, 1672-3, 350). For another example of war propaganda see *The Dutch Usurpation, or a brief view of the behaviour of the States General* (1672), published over the name (possibly pseudonymous) of W. de Britaine.

Holland was freely circulated; the massacre of Amboyna became an inspiration of literature not disdained by Dryden,¹ and its details were rehearsed on an open stage at Charing Cross² in company with farces and drolls. On the other hand, there was an attempt to induce Dutchmen to transport themselves and their possessions into England in accordance with the royal proclamation of June 1672.³ Ireland, it was thought, would benefit specially from these thrifty immigrants; Dover and Yarmouth would profit by the naturalization of foreign fishermen, who would bring their boats and gear. In the Commons a Bill for the naturalization of foreign Protestants was debated,⁴ but did not survive the adjournment; nevertheless, a number of Dutchmen were naturalized,⁵ and a small community of Dutch weavers settled in Somerset.⁶ England began her second year of war with the Dutch in the midst of attempts to induce them to come and settle among us.

There were delays in fitting out the fleet; delays mainly due to the division of duties between the Navy Board and the Board of Admiralty commissioners appointed to carry out the duties of the lord high admiral. Sir Robert Holmes was not given a command because of his interest with the duke of York; sir Edward Spragge could not hoist his flag until he had returned from his mission to France, where he was consulting with D'Estrées on the general plan of campaign. As a result of these consultations it was decided that the French squadron, instead of forming the van, should be placed in the centre, where, as Colbert explained⁷ to Louis, it would sustain 'the fiercest shock of the attack'. The French monarch was not informed of another reason for this change—namely, to prevent a repetition of D'Estrées's tactics at the battle of Sole Bay. Had the allies been ready for vigorous action in April 1673 they might well have effected a landing on the coast of Zeeland, as the Dutch

¹ In his *Amboyna, or the cruelties of the Dutch to the English merchants* (1673).

² *Cal. S.P. Dom.*, 1672-3, 148, Nov. 11, 1672.

³ *Steele*, ii. 2361, June 22.

⁴ *Parl. Hist.* iv. 577-9.

⁵ W. A. Shaw, *Letters of Denization and Naturalisation for aliens in England and Ireland* (Huguenot Society Publications, xviii), 109 sqq.

⁶ *P.C. Reg.* 64, April 25 and May 9, 1673. They appear also to have settled in Wilts., *ibid.*, July 28, 1675.

⁷ Colbert to Seignelay, in *Colenbrander*, ii. 230.

fleet was then dispersed and unprepared; but it was not until May 14 that a junction of the two fleets was effected. The French squadron, forming the centre or White and composed of 27 warships, 2 frigates, and 18 fireships, was commanded as before by D'Estrées; while the English contingent of 54 warships, 8 frigates, and 24 fireships was led by Rupert (Red) and Spragge (Blue). Against this joint force the Dutch could muster only 52 ships of the line, 12 frigates, and 52 fireships. Of necessity the defensive was forced on them, and accordingly in May De Ruyter took up station off the Schonveld, thereby covering Flushing and Middelburg; he had also the advantage that he was surrounded by almost inaccessible sandbanks. On May 14 a proclamation by William of Orange was circulated, calling for supreme sacrifice in the defence of the fatherland.¹

The allied plan of campaign was to break down Dutch resistance by attack from two sides; and while Louis was forcing the surrender of Maestricht, his ships were to co-operate with the English in the landing of an expeditionary force in Zeeland. Accordingly, about 8,000 troops under the command of Schomberg were stationed at Yarmouth, and on May 20 the allied fleet put to sea. Five days later the Dutch were sighted at anchor off the Schonveld; on the 28th a light squadron was sent in to draw them out. De Ruyter came out more suddenly than was expected, whereupon the allies were surprised into action. For some time the fleets sailed parallel with the shore, the wind being at south-south-west, thus giving to the allies the advantage of the weather gage, by which, however, they could not fully profit because of the danger of running on the shoals.² Tromp, as usual, acted with vigour and independence, holding his own with 11 ships against 28. He changed his flagship three times and was saved from disaster only by the consummate skill of De Ruyter. All the combatants fought valiantly, and though few ships other than fireships were lost, the death-roll was very heavy. For once, the French enjoyed the opportunity of boarding the enemy. Captain Tivas, of the *Conquérant*, who had sworn in a La Rochelle cabaret that he would board Tromp, brought his ship alongside the Dutch admiral's *Gouden Leeuw*, put 100 of

¹ Blok, op. cit. 339.

² Clowes, op. cit. 311-12; La Roncière, op. cit. 554-62.

the Dutch crew out of action, and was prevented only by a bullet from fulfilling his ambition. Two flag-officers were lost in this indecisive action, which ended at nightfall when De Ruyter anchored off West Kapelle, with English and French about two miles north-west of him.

For some days the attackers remained on the coast to be ready for a Dutch sortie, while De Ruyter made use of the interval to effect repairs at leisure and choose his time. When, on June 3, the wind was at north-east he came out, again surprising the enemy; and after some long-range firing the squadrons engaged each other in what D'Estrécs called *une grande escarmouche*.¹ At dusk the fleets separated and returned to their coasts. On all sides, about 1,000 men had been killed and wounded in these two engagements; many of the greater ships were damaged, but none lost. While neither action of the Schonveld was decisive, both demonstrated the power of the Dutch to maintain their defensive tactics and prevent a landing.

During what remained of June 1673 both sides were employed in fitting out as large fleets as possible, the allies anxious to force a decision, the Dutch determined to maintain their defensive. At a council of war held (July 16) on board the *Royal Sovereign* (attended by Charles) orders were given to Rupert to sail to the Flemish coast, and, after showing himself to De Ruyter at the Schonveld, proceed to the Texel, in the hope that he would be followed there, and that so a combat would take place where there was more sea-room.² As Rupert did not wish to be hampered with the troop transports, these were ordered to be left behind at Yarmouth until a decision at sea had been reached. On July 17 the allied fleet of 92 ships proceeded to sea, the French being placed in the van, as experience had shown that the centre was the proper place for the commander-in-chief. De Ruyter appears to have been sighted on the 20th. The allies then took up position off Scheveningen, the sight of their ships causing terror to the populace, hundreds of whom fled. 'All the beacons on the coast', wrote an observer, 'were fired last night, and fires upon all the steeples and jangling their bells and drums to call the country in. . . . Some few persons are said to have

¹ La Roncière, v. 563.

² Colenbrander, op. cit. ii. 288.

been killed upon the strand about Skeveling this day by great shott from the fleet.¹

Rupert meanwhile was hampered by his instructions, which were no more definite than that he should await further orders before engaging the enemy; nor was he to attack the Dutch East India fleet except between Dogger Bank and Texel, as otherwise the English coast might be left exposed.² With these somewhat vague directions he sailed north towards the Texel, followed by De Ruyter from Scheveningen, and about midday August 10 the two fleets sighted each other, the wind being then at north-east.³ By 4 p.m. Rupert had obtained the windward position, standing south-cast, the Dutch course being approximately north. Both fleets tacked in the night, Rupert avoiding a combat in the dark because he had so many raw seamen in his ships, and when the wind veered to east and east-by-south the Dutch succeeded in obtaining the weather gage.

The engagement opened early on the 11th of August off Kijkduin, between Petten and Camperdown, and is described by the Dutch as the battle of Kijkduin. De Ruyter at once bore down on Rupert;⁴ the Zeeland squadron held D'Estrées and the allied van, while Tromp attacked the allied rear, commanded by Spragge. The French, ordered to continue course towards the south so as to weather the enemy van, completed this order; but Banckers, seeing the danger of being caught between two fires, turned and broke through the French line in order to rejoin his chief. Meanwhile, the French admiral, having become separated from the main fleet in his execution of the duty entrusted to him, utilized this as a pretext for not supporting Rupert, who was now being pressed by both De Ruyter and Banckers, while Spragge was fighting it out with Tromp. As the French stood off to the south-east, fog and rain at first prevented this separation from being noticed, and meanwhile two titanic struggles were proceeding—that between Spragge and Tromp, and that of Rupert against De Ruyter and Banckers. Spragge and Tromp fought until the sea around was littered with wreckage and bodies; both admirals had to

¹ News-letter from Rotterdam, printed in *Colenbrander*, ii. 293.

² Charles to Rupert, Aug. 3, *ibid.* ii. 297.

³ *True relation* . . . in *Colenbrander*, ii. 301.

⁴ Blok, *op. cit.* 349.

transfer their flag three times, and at the third change of flag Spragge was killed. 'It was all fire and flame,' said one of the crew of the *Seven Provinces*.¹ Meanwhile Rupert, firing broadsides to windward and leeward, managed to edge over to his rear-admiral (Chicheley), and by 4 p.m., followed by De Ruyter, he succeeded in joining the Blue, badly mauled in the fight with Tromp. Ketches and sloops were sent out to bring in the windward vessels so as to concentrate the fleet, and prevent De Ruyter from capturing the lame ships. At 5 p.m. there was a short and final encounter between De Ruyter and Rupert, the latter using fireships effectively, a contest which might have terminated in a decision if the straggling D'Estrées had been induced to join. But the French admiral lay off to windward, a *spectateur immobile*² of the combat, though ordered by signal to bear down on the enemy:

It was the plainest and greatest opportunity ever lost at sea. The fight continued until the day was neere spent: the sun was just setting, when I edged off with an easy sail, so as to carry off the disabled ships. The Dutch also laid their heads to the eastward and soe the battle ended, when came a messenger from Comte d'Estrées to receive orders and to know the meaning of the blue flaggs being on the mizzen peak, which I wondered at, since there was no instruction playner to be understood or more necessary amongst the general instructions for fighting which he had layd before him; and besides it wanted neither signal nor instruction to tell him what he should then have done; the case was so plaine to every man's eye in the whole fleet.³

In these blunt words prince Rupert described the conduct of the French admiral. The battle of the Texel added one more to the list of indecisive engagements, but it marked the end of attempts to land troops, and it freed the coast of Holland from blockade. Both English and Dutch came out of it with an enhanced reputation for dogged courage. It was the last important engagement between the two races who, in a sense, had fought each other to a finish. The lesson of the French desertion was not lost on England, where a fickle associate was held in greater dislike than a determined enemy.

¹ Blok, *op. cit.* 349.

² La Roncière, v. 573.

³ Prince Rupert's account in *Colenbrander*, ii. 308-9.

Negotiations for a separate peace had been proceeding during these hostilities. As early as September 1672 the Swedish Regency had endeavoured to fulfil its obligations to both France and the States General by offering mediation, but without effect. As the war proceeded, it was feared in Sweden that the total defeat of the Dutch might leave the English in supreme control of the commerce of northern Europe,¹ and eventually, in the course of the winter of 1672-3, this proffered mediation was accepted by both France and England, the discussion being then diverted to the choice of a town suitable for the peace congress. Cologne was decided upon, and in April 1673 the earl of Sunderland, associated with the envoys Jenkins and Williamson, was chosen to represent England. Discussions commenced early in June 1673. Louis had every reason to suppose that Charles would stand by him,² because the English king had rejected offers of a separate Dutch peace. Nor was there any slackening of the English demands, which differed little from those which Buckingham and Arlington had presented in 1672; while the French terms were hardened by Louis's capture of Maestricht in June 1673. Meanwhile the war assumed a very different aspect when, in August 1673, the Dutch secured the co-operation of the Emperor, Spain, and Lorraine, a diplomatic success followed in September by William's capture of Naarden. Thus, by the autumn of 1673 the whole aspect of the war had changed. From the agent of divine justice commissioned to punish an upstart race, Louis found himself merely one of several belligerents, faced with the prospect of a lengthy war, and having for his only ally that country where his race and religion were held in deep dislike. Soon it was clear that peace could no longer be discussed on the basis of the terms proposed in the summer of 1672.

Continuation of the war was made more difficult for Charles by a domestic event. The duke of York's first wife, Anne Hyde, had died in March 1671, leaving two daughters. The royal widower was eager to marry again, and soon this matter became the subject of anxious inquiry. Claudia Felicitas, archduchess of Brunswick, was first suggested; but her marriage to the emperor Leopold caused James to look elsewhere, and he

¹ *Mignet*, iv. 140.

² *Ibid.* iv. 176.

naturally turned to the universal provider, Louis XIV, who devoted himself to this question with customary conscientiousness. It must be a French lady, or one in French interests, and there must be an heir. Madame de Guise was first recommended; she was no great beauty, it is true, but her fruitfulness could be guaranteed,¹ and for some time she remained on the select list kept by the duchess of Portsmouth.² Meanwhile, negotiations between Colbert and the dowager duchess Laura of Modena resulted in the selection of the latter's daughter, Mary Beatrice of Modena, for whom Louis promised a dowry of 400,000 crowns; the pope (Clement X) added his solicitations, and in July 1673 the earl of Peterborough was sent to ask for the consent of the intended bride. There was need for haste, because parliament would soon be in session; moreover, earlier in the year there had been talk of another bridegroom, namely Charles himself. The royal physician was reported to have informed the king that his queen was in 'consumption' and could not live more than a few months; but, apart from his consort's health, Charles was being urged by the enemies of the duke of York to divorce Catherine and marry again.³ He gave some encouragement to these solicitations by interesting himself in the choice of a bride, and announcing that he would trust no more to portraits;⁴ but while Charles was talking and his ministers quarrelling, James was acting. On September 30 his marriage contract was sealed, and the wedding completed by proxy. The haste with which these negotiations were conducted served to emphasize the fact that of all within Charles's entourage, the duke of York was the only man with a definite policy and the will to carry it out.⁵

When parliament met on October 20, 1673, the Commons showed a temper even more uncompromising than that of the preceding March. Unaware of the ceremony at Modena, they voted an address that the marriage of the duke with the princess

¹ Letter of Louvois, Sept. 29, 1671, quoted in H. Fomeron, *Louise de Querouaille*, 57.

² Report of Colbert de Croissy, July 24, 1673, in *Baschet*, 128.

³ *Ibid.* Feb. 10/20.

⁴ *Ibid.* Feb. 10/20, 1673.

⁵ In Aug. 1676, when acknowledging a present of ear-rings for the duchess from Louis XIV, James told the French ambassador that he regarded his bride as the daughter of Louis (*Baschet*, 133, Aug. 9/19, 1676).

of Modena should not take place, and that he should marry a Protestant. Charles's reply was to prorogue parliament for a week.¹ On their reassembly the king informed both Houses of the failure of the Cologne negotiations; he also asked for supplies to continue the war and to provide for repayment of his debt to the goldsmiths.² Shaftesbury followed with a disquisition on the necessity of securing the dominion of the seas and a subsidy from the Dutch for the herring fishing; these objects, with the establishment of the prince of Orange against the Lovestein faction and the adjustment of the East India trade, were, he claimed, legitimate reasons for the continuation of hostilities. The Commons responded by debating not the grant of a supply, but the refusal of one; the pope, it was said in the House, had expressed approval of the progress of French arms; at the battle of the Texel, English and Dutch had been gladiators and the French spectators; this was not their war; and Sacheverell hinted at the dark designs of the 'villainous counsellors' who had persuaded the king to embark on it. Sir William Coventry attacked the French alliance as destructive of both trade and religion; other members deplored this joining with the most insidious enemy of our wool monopoly (France) and enmity with the best customer for our woollens³ (Spain). A touch of humour was added to the debate when sir Robert Carr, moving that they proceed in a parliamentary way, suggested that they should present their grievances (if they had any) 'and the king will give you redress' (*laughed at*).

The result was an address against the duke's marriage, and the refusal of supply before the expiration of the eighteen months' assessment granted in the previous session, unless it should appear that the obstinacy of the Dutch rendered it necessary; nor would a further supply be granted until the country was effectually secured from the dangers of popery and popish counsels.⁴ The grievance of a standing army was next discussed, many members showing a certain hyper-sensitiveness in regard to the troops for whose maintenance they had themselves voted supplies. Abuses in the billeting of troops, martial law for soldiers, and the inevitable debauchery which must inevitably follow the arming of youth were all expatiated on by sir T. Meres, who induced the

¹ *L.J.* xii. 587.

³ *Grey*, ii. 198-214.

² *L.J.* xii. 589-90.

⁴ *C.J.* ix. 284-5, Oct. 30-1, 1673.

Commons to pass a resolution that a standing army was a grievance, in spite of secretary Coventry's distinction between an army and a standing army.¹ When on November 4 sir R. Thomas added 'evil councillors' to the list of grievances, Black Rod's tap at the door was heard, and parliament was prorogued to January 7, 1674. November 4 was indeed an ominous date for prorogation, as was revealed next day, when all London flocked to a great pope-burning, where there was the additional attraction that the effigy of a Frenchman could be shot at by spectators.²

These debates showed how untenable was Charles's position, and how unpopular were some of his ministers. Most of them were busy plotting against each other; nor could good counsel be expected from men inspired mainly by personal enmities, and concerned chiefly about their own safety. Charles talked of 'gaining time'; James said it was 'losing time'.³ Government was brought to such a pitch, noted the Venetian ambassador, that the king called a cabinet council for the purpose of not listening to it, and the ministers held forth so as not to be understood.⁴ A new fear had entered into English statecraft—fear of parliament and of something vaguely called the nation; in consequence there could be neither secrecy nor freedom in the king's councils. Against the emphatic opinion of the majority of the privy council Charles refused to dissolve parliament, though he was reminded of the fate of his father;⁵ it was also insinuated that his failure to take decisive action was cowardice. He was pressed by his brother to take drastic steps with the opposition leaders; indeed the duke sent for Shaftesbury and told him to his face that he was a madman. The one genuine Protestant in high office—Shaftesbury—was removed on November 9, the seals being given to Finch. 'It is only laying down my gown and putting on my sword,' said the dismissed chancellor as he stepped from office into opposition. Arlington, ever playing for safety, advised Charles to yield now, as he had yielded over the Declaration of Indulgence, for compliance seemed the only alternative to national revolt.

As the English executive wavered, the French king hastened to supply under-props. Ruvigny was sent to England nominally in order to congratulate the duke of York on his marriage, but

¹ *Grey*, ii. 222.

² *Ven. Trans.*, 14/44, Nov. 7/17, 1673.

³ *Ibid.*, Nov. 5/15, 1673.

⁴ *Ibid.*, Dec. 12/22.

⁵ *Ibid.*, Nov. 7/17.

really to reinstate Buckingham in the French interest and, if possible, add other supports thereto. For this purpose he was accompanied by the marquis de Sessac,¹ who, having been detected cheating at cards, was now in need of a vacation wherein to restore his honour. Buckingham soon convinced Sessac that he had enough influence with the Commons to induce them to confirm the (public) Anglo-French alliance; whereupon Sessac proposed the obvious solution of the difficulty, namely, that the king should show this public treaty to the Commons and keep the secret treaty up his sleeve.² While these subsidiary negotiations were proceeding, Charles was explaining his predicament to the French ambassador—how his revenues for 1674 were already fully anticipated, and he would need at least £1,400,000 for next year's campaign. Colbert de Croissy thought this an over-estimate, but asked Louis to authorize him to advance up to £500,000. The extra subsidy was granted early in December, together with an extra £10,000 as a bait for Shaftesbury;³ but in spite of these lavish grants Louis now realized that he must prepare himself for a separate Anglo-Dutch peace. In his desperation he would do anything to retain Charles's co-operation—he would increase the subsidy by two million livres and would even diminish the size of his fleet in order to soothe English maritime jealousy. But in spite of the combined efforts of the two French envoys, overtures for a separate peace with the Dutch were negotiated through Spain.⁴

Colbert de Croissy and Ruvigny now directed their attention to those of Charles's advisers and ex-advisers, namely Arlington, Buckingham, Ormond, and Shaftesbury, who were supposed to have a following in the Commons. Through these intermediaries Englishmen were to be persuaded that the sole object of the war was a good peace, that Charles had no intention of changing the constitution, and that Louis was far from suggesting such counsels. The large sums required for this propaganda were to be supplied by Sessac on his own credit, and distributed by Buckingham; but

¹ For his career see Germain Martin, *Histoire du crédit en France sous le règne de Louis XIV*, i. 201.

² Baschet, 130, Jan. 1/11, 1673/4.

³ On Buckingham's suggestion, Ruvigny had asked for this sum in order to bribe Shaftesbury. *Instructions Données (Angleterre)*, ii. 125-6.

⁴ Mignet, iv. 251.

none of this fund was to be given to Charles or Arlington, who, if they applied for a grant from this source, were to be assured that Sessac was advancing the money on his own risk, in the hope of rehabilitating himself at the French Court.¹ The recruits obtained from this campaign were neither numerous nor promising—lord Ogle, son of the duke of Newcastle, lord Berkeley, lord Bristol, and sir Robert Carr. Buckingham reported that he had agreed with Osborne to induce Charles to make public the fictitious treaty of December 31, 1670, in order to calm the fears of parliament. Charles and Louis were persuaded to consent to this piece of deception, while Colbert de Croissy, wearied of the comedy and of the increasing hatred of Catholicism in England, was recalled at his own request, the Huguenot Ruvigny being appointed in his stead. To the departing ambassador Charles gave a receipt for all the French money he had received since December 1670—eight million livres tournois, or about £600,000. By the end of 1673, therefore, the position was this—if parliament could be fooled by the bogus treaty, Charles might be able to continue his amicable relations with France; Arlington, then negotiating a separate treaty with the Dutch, would be ‘dished’, and Buckingham’s influence would be established on a secure French basis. But as the date of the reassembling of parliament approached, Charles became more and more dubious of the success of the intended ruse.

These fears were amply justified when parliament met on January 7, 1673. In his speech from the throne² Charles assured both Houses that it was impossible for him to doubt their affection, especially at such a crisis as this. In order to obtain peace without dishonour supplies were needed; ‘a cheerful aid is now more necessary than ever’. As there were rumours of secret engagements with France he would willingly show his treaties with that power to a committee of both Houses ‘without any the least reserve’. It was noticed that he fumbled at these words.³ Parliament responded ominously by a request for a public fast ‘to seek a reconciliation at the hands of Almighty God’, a request readily granted.⁴ The Commons then fell to their grievances—

¹ *Instructions Données*, ii. 138.

² *L.J.* xii. 594–5.

³ Conway to Essex, Jan. 10, 1674, in *Essex Papers* (ed. O. Airy), i. 161.

⁴ Jan 16 1674. *St. J. de* i. 95.7

men had been pressed to serve overseas; the war was bad for trade; the king should have consulted with parliament before engaging in hostilities. By 1691 to 1699 it was decided to thank the king for his speech, and it was then resolved to take measures for suppressing popery and removing popish and dangerous councillors. A beginning was made with Lauderdale, who was accused of raising 20,000 foot and 2,000 horse in Scotland for a pernicious design to alter the English constitution; an address for his removal was passed unanimously. Then came Buckingham's turn. A carefully prepared list of questions and accusations was compiled.¹ He had broken the Triple Alliance by his negotiations in 1672; he had raised troops in Yorkshire; he had visited the king of France; he had referred to Charles as an arrant knave, and he was guilty of crimes so heinous that they were unmentionable, even in Rome. Arlington came next. Nothing, it was said, had passed but through his hands, including the raising of an army and the Declaration of Indulgence; he was the 'great conduit pipe', and it was freely reported abroad that he was a Papist.² On January 15, 1674, articles of impeachment against him were brought in. These alleged that he had obtained commissions for Papists; he had lodged a priest in his household; he had embezzled the treasure of the kingdom for his own greatness; he had advised the king to enter on the war before he was out of debt. In vain did secretary Coventry protest that these were vague charges; that Arlington had acted on the king's orders, and that the Commons had not defined their phrase 'popishly affected'.³

Buckingham's vindication of himself before the Commons (Jan. 13, 1674) was a forensic masterpiece. The real culprit, he explained, was Arlington. So far from breaking the Triple Alliance he had taken the chief part in making it. He had gone to Holland in 1672 in order to prevent De Witt joining with the French; he had endangered his career because of his consistent reverence for the House of Commons. A tragic victim of circumstances, he could hunt with a pack of hounds, but not with a pair of lobsters;⁴ he therefore desired leave to sell his office of Master of the Horse, and concluded by commending himself and his

¹ *C. J.* ix. 292 sqq.

² *Grey*, ii. 271.

³ *Grey*, ii. 273.

i.e. either the king and the duke of York or prince Rupert and Arlington.

actions to the good construction of the honourable House.¹ His listeners, who did not quite know what to make of this mixture of innuendo and fooling, had no better success with their questionnaire, which was intended to extract answers implicating Arlington. Two days later Arlington also defended himself before the Commons. He had always, he said, been for moderate courses, Buckingham for exorbitant ones. He had had only a sum of £10,000 and an estate of £1,000 per annum out of Ireland. As this defence seemed the more convincing, it was decided by a narrow majority not to petition for his dismissal; but they asked for Buckingham's removal, and delegated to a committee the duty of finding out if he were impeachable.

Criticism of his ministers by the Commons must have been as galling to Charles as their enforcement of the Test Act had already proved. One encroachment on the prerogative was being followed by another; earlier parliamentary history appeared to be repeating itself, and the crown itself might again be overwhelmed by an avalanche such as that of 1648-9. At the same time both York and Osborne tried to discredit the Commons with the king. The majority of the members, they said, were persons of no consideration, many of them subsisting on the royal charity; if parliament were dissolved, a number of these men would die naked in debtors' prisons. The House, they argued, was exceeding its powers; not satisfied with being consulted about supply, the members were claiming to examine the causes of taxation, and were setting up for regents of the crown.² But once again Charles's intuition served him in good stead. For a second time he would yield, but his recoil, when it came, would be all the stronger. Neither House had taken advantage of his invitation to inspect the treaties; as this ruse had failed, he must proceed with the separate treaty which Temple, with the help of Spain, was then mediating. To Louis he could explain his defection by attributing its origin to a proposed marriage alliance between William and the princess Anne.³ On January 24 he took the unusual step of submitting to both Houses a letter from the States General, intimating the terms on which they would agree to make peace. The letter, with a memorial from the French ambassador,

¹ *Grey*, ii. 249-50.

² *Ven. Trans.* (14/44), Jan. 23/Feb. 2, 1674.

³ *Ibid.*, Feb. 6/16, 1674.

was read to the House by secretary Coventry, and on this basis the Commons advised Charles to proceed to a *speedy peace*, the word *honourable* being purposely omitted, lest its retention might occasion a further demand for supplies.¹ By February 11 the negotiations were completed, and Charles was then able to announce that he had made an honourable peace. Intimating that he had sent home the Irish troops, he now asked that money be supplied for a larger fleet, in order that England might not lag behind other nations.²

Having thanked him for this announcement, the Commons turned at once to the dangers from popery; the military establishments of Scotland and Ireland; illegal imprisonment of subjects; and the threat of a standing army. 'This army',³ said colonel Birch, 'though of but sixteen hundred is able to make the kingdom jealous.' 'Plymouth', said sir Nicholas Carew, 'is well fortified by land, but not by sea.' In vain secretary Coventry protested against the ambiguity of the word 'grievance' as applied to the armed forces of the crown; moreover, once people suspected that every man in a red coat was a grievance, bloodshed was bound to follow.⁴ In spite of this reasonable protest on behalf of the government, it was voted on February 7 that the continuing of any standing forces other than the Militia was a great grievance.⁵ They next discussed the bribing of members of parliament, and (on the strength of a rumour that Arlington had spent £20,000 on this object) a motion was made to administer a test, to be taken publicly by all members, disavowing the receipt of money for their votes. But this was not proceeded with; for many of the legislators must have been aware of Ruvigny's two threats: first, that if such a test were applied, he would publish the names of 'the devotees of the rix-dollars of Holland'; and, second, that unless 'the devotees of the crown pieces of France' spoke up more loudly for the French alliance, he would publish their names also.⁶ These threats may have succeeded.

The historical parallel with the Long Parliament became more obvious as this momentous succession proceeded, and the Commons read and passed Bills involving the most far-reaching of constitutional principles. Among these was a Bill for the better

¹ Grey, ii. 357. ² L.J. xii. 632. ³ Grey, ii. 395. ⁴ Ibid. ii. 398.

⁵ C.J. ix. 305.

⁶ Ven. Trans., 14/40, Feb. 6/16, 1674.

election of members of parliament;¹ a habeas corpus Bill, intended to facilitate the application of this remedy; a Bill to prevent illegal exaction of money from the subject; a prisoners' transportation Bill; and a Bill for settling the fees and powers in the patents of judges.² On February 21 they passed the first reading of a Bill sent from the Lords, which would have had the effect of bringing up the duke of York's children as Protestants;³ they had already before them a Bill to distinguish between Protestants and Papists, and one of their committees was inspecting the laws in order to see how far the king might commit a subject by his immediate warrant.⁴ Thus, in spite of the cessation of hostilities with Holland, the Commons seemed determined both to guarantee a Protestant succession and to determine afresh the relations between executive and subject. But none of the measures proposed for these objects was allowed to pass; for on February 24, 1674, the king prorogued parliament until November 10, this being the third successive prorogation without the passing of a single Bill.

Thus the two Dutch Wars had served to create a complete change in the relations between crown and legislature. The war of 1665-7 had stirred the Commons to set themselves up as critics of war management and expenditure; that of 1672-4 incited them to review the whole field of national policy, and to direct attention to the most sacred element in the prerogative—the succession to the throne. The duke of Newcastle's verdict⁵ had proved a true one, that a parliament which sits long will never want work; indeed, the youthful loyalists of the Restoration seemed to be entering on a middle age of republican pugnacity. They were pitted against a king whose mental evolution had long since been completed; a king possessed of one ambition—that he might live in peace and comfort, secure from the scoldings of Westminster. His dream was to be realized, but it was still in the distant future.

The treaty which detached England from the last of the great Dutch wars was signed in London on February 9, 1674, and is

¹ *C.J.* ix. 308, Feb. 12.

² *Ibid.* ix. 308-13; also *H.M.C. Rep.* ix, app., pt. ii. 42-6; and *Grey*, ii. 349-415.

³ *H.M.C. Rep.* ix, app., pt. ii. 45.

⁴ *C.J.* ix. 309.

⁵ See *supra*, 146.

generally known as the treaty of Westminster.¹ The honour of the flag was ceded to England as 'a testimony of respect' in British waters, these being defined as stretching from Cape Finisterre to van Staten in Norway.² The Dutch agreed to allow English colonists to leave Surinam with their slaves and possessions; disputes in the East Indies were to be referred to arbitration. Each country undertook not to assist the enemies of the other. As the prince of Orange had been confirmed in the official stadholdership, he was not specially provided for in the treaty; nor was anything said about the right of herring-fishing in British waters. As indemnity, England received 800,000 ecus.³ This treaty was followed in December 1674 by a maritime treaty⁴ which guaranteed for each nation free commerce everywhere, except in the East Indies, where the *status quo* was to be observed, both countries agreeing to prolong discussion of their differences there until an agreement was reached. 'Je voudrais bien vivre jusqu'à ce temps-là' was Ruvigny's comment on this clause.

Like the treaty of Breda, that of Westminster left undetermined the question of maritime supremacy, a question not to be settled by a few years of war, but by gradual changes in the relative resources of the two combatants. Ostensibly, the terms of the treaty seemed at least to 'save the face' of the English government; for the Dutch paid an indemnity, and they appeared to give way on the question of the flag. That our rivals and enemies consented to salute even a single British ship in the waters over which England claimed mythological supremacy, appeared a recognition of British maritime achievement, and was so regarded in England; but in reality it was a triumph for the Dutch, because expressly conceded not as an admission of our rule over certain seas, but as a mark of respect from a junior to a senior power. Moreover, the limits specified were 'too wide for dominion and too narrow for respect'.⁵ In the East Indies the treaty marked the end of our attempts to gain a footing in the Spice Islands; thereafter, the Dutch were confirmed in possession. In these respects the treaty was unfavourable, or indeterminate for English interests. But the repercussions of wars and treaties are often

¹ *Dumont*, vii, pt. ii. 253-4.

² Or nearly £200,000.

³ Possibly Statland.

⁴ *Dumont*, vii, pt. ii. 282-5.

⁵ T. W. Fulton, *The Sovereignty of the Seas*, 500.

remote and indirect; for England obtained this unusual advantage that, while her chief enemies were left fighting each other, she was able to obtain a footing in some of their markets. In the west, New York had been restored after its capture by the Dutch in 1673; the Carolinas were steadily being peopled, and within a few years Pennsylvania was to be added to English possessions on the mainland.¹ In Canada the Hudson's Bay Company was persistently encroaching on French preserves, and preparing the way for English domination. Thus, in the four years of neutrality secured by the peace of 1674, England was able to make up for the handicaps with which she had entered the race for maritime supremacy, and in these years our French and Dutch rivals were weakened by prolonged war.

A striking contrast of motives was thereupon illustrated. The Dutch were left struggling for their national independence and security; Louis was fighting for glory and revenge, while the peaceable English were profiting by a policy of penetration and development. It was through no conscious principle on the part of Charles that England was able to reap these advantages; and so long as war is considered necessarily honourable and neutrality cowardly, this policy will be condemned. But the historians who applaud the progress of English commerce and colonial enterprise in these years must in fairness admit that these things were indirectly promoted by the foreign policy of Charles II.

¹ For these see *infra*, II, ch. XVIII.

